SIXTY-THIRD CONGRESS

CHARGES FILED BY JOHN P. GRACE

AGAINST

HON. RICHARD S. WHALEY

CONGRESSMAN ELECT FROM THE FIRST
CONGRESSIONAL DISTRICT OF
SOUTH CAROLINA

THE RECORD

Referred to Committee on Elections No. 1

WASHINGTON
1913

JK1359
.63d
.S7W25
copy 2

D. OF D.
JAN 7 1914

CHARGES BY JOHN P. GRACE AGAINST HON. RICHARD S. WHALEY, CONGRESSMAN ELECT FROM THE FIRST CONGRESSIONAL DISTRICT OF SOUTH CAROLINA.

The Speaker of the House of Representatives and the Congress of the United States:

The petition of your petitioner respectfully shows:

First. That he is the mayor of the city of Charleston, and a duly qualified elector in the first congressional district of South Carolina; that for many years he has been closely identified with the Democratic Party, taking part in its club meetings, conventions, primaries, and in the election of its candidates; by reason of which he has gained an intimate knowledge of the politics of his section, and is qualified to swear that the allegations hereinafter made either on personal knowledge or on information and belief are true.

Second. That heretofore, to wit, on the 31st day of January, 1913, Hon. George S. Legare, late Representative in Congress from the First District of South Carolina, died, leaving a vacancy in Congress.

Third. That thereafter, to wit, on the 4th day of February, 1913, Richard S. Whaley announced his candidacy to fill said vacancy and began a canvass for the Democratic nomination, simultaneously circulating throughout the district, as your petitioner is informed and believes, that whoever entered the race must be prepared to outspend him in money, intelligence of which speedily resolved the campaign into one of unprecedented vote selling.

Fourth. That at stated times before and after any primary or election for Congress, each candidate is required by Federal law to file certain sworn statements of expenses, etc., showing that the cost of such primary and election has not exceeded $5,000 in the aggregate, in pursuance of which Mr. Whaley filed four statements, now on file in the office of the Clerk of the House of Representatives, reference to which is hereby craved as often as may be necessary, and which are hereby made part of this petition.

Fifth. That the first congressional district of South Carolina is composed of five counties, inhabited preponderantly by negroes, for the exclusion of whose participation in politics it is the custom by common consent for white men to settle their differences in the Democratic primary, the nomination in which is equivalent to an election; that there were in round numbers but 12,000 votes cast in the Democratic primary in these counties in which Mr. Whaley was nominated, distributed in the five counties as follows:

	Votes.
In Charleston County	6,168
In Clarendon County	1,519
In Colleton County	1,807
In Berkeley County	953
In Dorchester County	1,603
Total	12,050

of which, on the face of the returns, Mr. Whaley obtained 6,298 votes; that thereupon Mr. Whaley was declared the nominee of the Democratic Party and in a special election which was held on April 29, 1913, Mr. Whaley was elected without opposition to fill the unexpired term. That in order to obtain these 6,298 votes, as your petitioner is informed and believes, Mr. Whaley spent in the first and second primaries and the campaigns incident thereto not less than sixty thousand ($60,000) dollars, or an average of about ten ($10) dollars for each vote.

Sixth. That notwithstanding such excessive use of money, and because, as above set forth, he was required by Federal law under oath to file statements showing that he spent not over five thousand ($5,000) dollars, your petitioner alleges Mr. Whaley willfully and knowingly filed false sworn statements with the Clerk of the House of Representatives, showing that he spent altogether only the sum of $4,533.10.

Seventh. That in filing such statements Mr. Whaley in each instance willfully and knowingly made oath (administered by a person permitted by law to administer such

oath) to the truth of something which he knew was absolutely false; and that such willfully and knowingly false oaths were made only because to state the truth would be to exclude him from qualifying and taking his seat in Congress.

Eighth. That section 343 of the Criminal Code of South Carolina is as follows:

"Whoever shall, willfully and knowingly, swear falsely in taking any oath required by law, and administered by any person directed or permitted by law to administer such oath, shall be deemed guilty of perjury, and, on conviction, incur the pains and penalties of that offense."

That your petitioner alleges that under the plain meaning of said section and under the decisions of the Supreme Court of South Carolina, Mr. Whaley, by filing his willfully and knowingly false sworn statements in order to obtain his seat in Congress, committed four separate and deliberate and felonious perjuries.

Ninth. That Mr. Whaley now sits in Congress, therefore, because he openly bought his nomination and election by going out upon the highways and byways and debauching the electorate, and by using over twelve times as much as the maximum of money allowed by law, in avoidance of the consequences of which he afterwards committed four felonous perjuries.

Wherefore your petitioner prays that the matter of Mr. Whaley's right to his seat in Congress be investigated, and that he be expelled from that body if the allegations contained in this petition be found to be true, and for such other and further relief in the premises as to your honorable body may seem just.

JNO. P. GRACE,
Petitioner.

STATE OF SOUTH CAROLINA:

Personally appeared before me John P. Grace, who made oath that the foregoing petition is true of his own knowledge, except as to such matters as are therein alleged upon information and belief and as to these matters he believes it to be true.

JNO. P. GRACE.

Sworn to and subscribed before me this 17th day of September, 1913.

[SEAL.] W. TURNER LOGAN,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston, ss:*

I, Wm. H. Dunkin, clerk of the court of common pleas and general sessions, in and for the said county (said court being a court of record), do hereby certify, that W. Turner Logan, whose name is subscribed to the certificate of proof or acknowledgment of the annexed instrument or affidavit, and thereon written was, at the time of taking such proof or acknowledgement, a notary public of the State of South Carolina, in and for the said county of Charleston, dwelling in said county, commissioned and sworn, and duly authorized to take the same. And also duly authorized to take affidavits, to take proof and acknowledgment of all written instruments and deeds, and renunciations of dower. And further that I am well acquainted with the handwriting of such notary and verily believe the signature to the said instrument is genuine and that said instrument is executed and acknowledged according to the laws of the State of South Carolina.

In testimony whereof I have hereunto set my hand and affixed the seal of said court this 17th day of September, 1913.

[SEAL.] WM. H. DUNKIN, *Clerk.*

BILL OF PARTICULARS AND AMENDED PETITION.

The following is a bill of particulars of the sums of money paid and to whom paid, including a part of the $60.000 alleged to have been paid in the fifth paragraph of the petition already filed in this case; this being filed in response to a demand of the Committee on Elections No. 1, to which said petition was referred, which items are all alleged on information and belief.

The petitioner alleges that the sum of $5.000 was put in the hands of Mitchell Whitsell, W. B. Ackerman, and James Peurifoy for distribution in the corruption of voters in Colleton County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 15, 1913, the day of the second primary, and such money was so used in Colletin County on the said April 15.

The sum of $6,000 was put in the hands of S. Lewis Simons, O. B. Limehouse, and Walker S. Utsey for distribution in the corruption of voters in Dorchester County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 15, 1913, the day of the second primary, and such money was so used in Dorchester County on the said April 15.

The sum of $6,000 was put in the hands of Dr. Dick, Walter B. Logan, and Ben Harwin for distribution in the corruption of voters in Clarendon County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 15, 1913, the day of the second primary, and such money was so used in Clarendon County on the said April 15.

The sum of $2,900 was put in the hands of Russell Williams for distribution in the corruption of voters in Berkley County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 15, 1913, the day of the second primary, and such money was so used in Berkley County on the said April 15.

The sum of $200 was put in the hands of Max Goldman for distribution in the corruption of voters in ward 3, Charleston County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 15, 1913, the day of the second primary, and such money was so used in ward 3, Charleston County, on the said April 15.

The sum of $400 was put in the hands of T. H. Young for distribution in the corruption of voters in ward 3, Charleston County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 15, 1913, the day of the second primary, and such money was so used in ward 3, Charleston County, on the said April 15.

The sum of $1,500 was put in the hands of W. J. Bennett for distribution in the corruption of voters in ward 5, Charleston County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 15, 1913, the day of the second primary, and such money was so used in ward 5, Charleston County, on the said April 15.

The sum of $2,700 was put in the hands of Harry O. Withington and J. W. Dunn for distribution in the corruption of voters in ward 7, Charleston County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 15, 1913, the day of the second primary, and such money was so used in ward 7, Charleston County, on the said April 15.

The sum of $5,000 was put in the hands of J. J. O'Shaughnessy for distribution in the corruption of voters in ward 9, Charleston County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 15, 1913, the day of the second primary, and such money was so used in ward 9, Charleston County, on the said April 15.

The sum of $2,000 was put jointly in the hands of B. P. Carey and Lewis Morilla for distribution in the corruption of voters in ward 9, Charleston County, by Richard S. Whaley, or his agents, with his knowledge and consent, on or about April 1, 1913, the day of the first primary, and such money was so used in ward 9, Charleston County, on the said April 1.

The sum of $300 was put in the hands of Harry Friend for distribution in the corruption of voters in ward 9, Charleston County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 1, 1913, the day of the first primary, and such money was so used in ward 9, Charleston County, on the said April 15.

The sum of $200 was put in the hands of Robbie Wicket for distribution in the corruption of voters in ward 9, Charleston County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 1, 1913, the day of the first primary, and such money in part so used in ward 9, Charleston County, on the said April 1 and the balance kept and spent for household furniture and private uses.

The sum of $1,900 was put in the hands of Frank Simmons in Richard S. Whaley's office the night before the second primary, to wit, April 14, 1913, for distribution in the corruption of voters in ward 10, Charleston County, and an additional amount of $1,300 on or about April 15 for the same purpose and was so used.

The sum of $600 was put in the hands of Joe La Torri for distribution in the corruption of voters in ward 5, Charleston County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 1, 1913, the day of the first primary, and such money was so used in ward 5, Charleston County, on the said April 1.

That the sum of $200 was put in the hands of L. Horwitz for distribution in the corruption of voters in McClellanville and so used.

That a large sum, to this petitioner unknown, but upon information and belief not less than $5,000, was put in the hands of M. P. Heely for distribution in the corruption of voters in ward 11, Charleston County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 15, 1913, the day of the second primary, and such money was so used in ward 11, Charleston County, on the said April 15.

That a large sum, to this petitioner unknown, but upon information and belief not less than $1,000, was put in the hands of A. J. McInness for distribution in the corruption of voters in ward 12, Charleston County, by Richard S. Whaley, or his agents with his knowledge and consent, on or about April 15, 1913, the day of the

second primary, and such money was so used in ward 12, Charleston County, on the said April 15.

That other large sums, in the aggregate unknown, but amounting to several thousands of dollars, according to the best information and belief, was paid for various forms of advertising, such as badges, etc., for carriages and automobiles in the first primary, for the hiring of halls, bands, drinks, and many other purposes in Charleston County and elsewhere throughout the district.

That in further of said petition filed herein deponent alleges that Mr. Whaley willfully and unlawfully and contrary to Federal law made sundry promises of Federal offices in case of his election, to wit, that he promised to J. D. Gerald and C. W. Wells that if elected each of them would be appointed postmaster at Manning, and various other promises of a kindred nature, more specifically set forth in the affidavit of H. Leon Larisey and the exhibit attached thereto and therein made a part of said affidavit. And, having made such promises contrary to law, the said Richard S. Whaley filed four separate sworn statements declaring that he had made no such promises, which sworn statements were, under the laws of South Carolina, felonious perjuries.

That, in further amendment of the petition filed herein, petitioner alleges that from F. C. Peters and various other contributors Mr. Whaley collected large sums, to this petitioner unknown but aggregating thousands of dollars, notwithstanding which Mr. Whaley willfully and knowingly filed four separate sworn statements, declaring that he had received no such contributions, which statements were felonious perjuries.

That this petitioner files this bill of particulars and prays this honorable body that the same be made a part of his original petition.

(Signed) JOHN P. GRACE.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared before me John P. Grace, who, being duly sworn, made oath that he had been informed that one Dan Bean knew of his own personal knowledge about the payment of money by Mr. Whaley or his agents in the congressional election; that without advising Mr. Bean why he wanted to see him, he had him brought to his room at the Charleston Hotel on Sunday night, September 28, and in substance the following conversation took place:

Deponent approached Bean for having deserted him after all that he had done for him and his family, and Bean made several apologies and explanations, and said that in the future it would be different. He then asked Bean what he knew about the money in the Whaley matter; in fact intimated to Bean that he knew what Bean knew. Bean then said, "My God, Mr. Grace, don't bring me into this thing, for those people in my neighborhood, if they found out I had squealed, would kill me." I told him he had nothing to fear, and that it was the first time I had ever known any of his family to show the white feather. He said, "Well, I am out of a job, and these people (meaning the Whaley people) are the only ones to whom I can look for employment, and I am practically on starvation now, and if I told what I know they will never give me employment." I told him that I knew he could be of the greatest value to me, and that I wanted him to tell me the truth, but that he must do it without in any way feeling that he would be rewarded by me for it, and that he must even be prepared to take whatever consequences would befall him from the other side, which, however, I again assured him, from the standpoint of danger would be nothing. I then succeeded in drawing out of him most reluctantly this fact: That on the night before the second primary he was in Mr. Whaley's office in the skyscraper, and ward 10 was called into one of the smaller offices, and that Frank Simmons went in representing ward 10, and there was counted out to him in his presence $1,900 in bills, out of which he said Bean got $100; that he was very much dissatisfied because he did not seem to be trusted, so far as handling the money was concerned, as he had been in the first primary; that he rather sulked all day in ward 10, but that he saw Frank Simmons buying votes and spending the money, and before the day was half over the money gave out and he got $1,300 more, which latter he did not see, but was told so at the time. The money was paid to Frank Simmons by R. C. Richrdsaon in the presence of J. M. Poulnot and the said Bean. Deponent asked Bean if he would make an affidavit to that effect, and he said that he would not, in fact that he dare not, and that he could not understand how deponent had heard it, but that, as deponent knew the facts, there was no denying them, and if he were subpœnaed and put under oath he would be compelled to say what he had told deponent. He said then that he would think over until the next day whether or not he would be willing to make affidavit. This was the substance of his conversation so far as his knowledge and actual seeing the Whaley money paid over was concerned.

(Signed) JNO. P. GRACE.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared Philip Fash, who, being duly sworn, made oath that he is a merchant in ward 9, in the city of Charleston, conducting a grocery store at the corner of Aiken and Columbus Streets. The night after the first primary, Judge O'Shaughnessy came into my place of business and got a bottle of beer, and seemed to be very much displeased about something which I afterwards learned, by nightly conversation, was because Whaley did not carry the election. He opened up in full and said: "From to-night on, I have got my coat off for Whaley." I did not take much interest in it in the first primary, but I will handle the mazuma this time, and if I get beat as bad in the second, I'll commit suicide. The same he did handle in the second primary, using Mr. Carey's house, on Reid Street, as I was told, as a young Tammany Hall. I was in the vicinity of the polls on the morning of the second primary, myself and Mike Barry, and seen Judge O'Shaughnessy coming down America Street with a package under his arm, and he was called on some question of challenge. He said he had $5,000 inside this (meaning the package in his hand at the time). It was the same package he had the night before the election when he passed my store on the opposite side of the street, and somebody else, whom I can not now recall, said even then that it was a package of money for to-morrow's election, and that Whaley must mean to buy up all the cattle in ward 9 to-morrow. After the dispute at the polls I saw the Judge go around to Mr. Carey's house with the $5,000 package, as it was supposed to be. One and two dollar bills were very common all that day. After the second primary O'Shaughnessy came into my store one night and said, "How is One-Legged Barry? Has nothing to do yet?" I said "No," and he said, "That's not the worst; he will never get nothing to do under the administration. None knows John Grace better than I. What is One-Eye Dunlap doing?" I said, "I think he's with the Consolidated," and he said, "I see him loafing around Broad Street, and he must be hunting a job." I said, "I guess he could get one if he needed." Then he asked, "Everybody satisfied by Sargent?" I said, "I think so; have not heard any complaints." Then I said, "I think so; have not heard any complaints." Then I said, "I think ——— ——— is one of the straightest fellows in politics, and I told him I heard complaints from his side that the fellows were hanging around Addison's for one week, waiting to be paid off," and he said, "Well, everyone was paid off, for I paid them myself. I did not have enough left to pay all off, and had to get $500 more from Whaley, and they all got what was promised them, for out of my first money I paid Addison his just bill and squared up with him, and out of the $500 I paid him $100 and some odd dollars on the Saturday after the election." I think he said the last amount was one hundred and a few dollars, and I said, "You think I could follow such a bunch as that? Take the money out of ward 9 and put it in 10. Judge, I know they were not satisfied, for when you were paying off at Stahl's house (he finished up at Addison's shop) I heard them kicking on the corner, stating that they were not satisfied, and I think from the $5,000 in the ward everybody should be satisfied." On another occasion this conversation was almost repeated, at which time, before the Judge came in the store, and when I saw him coming, I told Mike Barry to get behind the screen and he would hear something about himself. He said, "How is One-Legged Barry?" He almost invariably opened up his conversation with this question. I drew him out about the whole matter covering the ground above set forth, and after he went out Barry came out. When Barry came out he said, "When O'Shaughnessy first came in and referred to me as One-Legged Barry I started to come out to tackle him, but I was glad I waited, because I heard what he said." Mr. Barry has since told me that he informed Mr. Grace, and while I give this affidavit unwillingly, nevertheless I can not deny it, and if put under oath and cross-examined I realize I would have to tell it.

(Signed) PHILIP FASH.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared Victor Perry, who, being duly sworn, made oath that on the corner of Market and East Bay on the day before the first primary, Max Goldman met deponent and told him if he would change from a Hughes to a Whaley man he (Max Goldman) would give him (deponent) $10, which deponent declined. Two days after the second primary Max Goldman came into August Seebeck's place with a large roll of money and peeled off $5 and handed it to deponent. The general impression was that Goldman was one man in ward 3 handling Whaley's money.

(Signed) VICTOR PERRY.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared J. J. Hilton, who made oath that on the day of the second primary he went to the polls and Mr. M. P. Haley scratched his ticket for Whaley; he then voted and walked to the corner, where he was met by a tall, thin man, Chan Shaver, whom he does not know, but who took him into Struckens's shop and gave him $9 because he had voted for Whaley.

(Signed) J. J. HILTON.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me, F. Brandes, who, being duly sworn, says that he is a resident and qualified elector of the city of Charleston and county and State aforesaid; that on the 15th day of April, 1913, the date on which the second congressional primary was held here, the said deponent repaired to precinct 1, ward 1, for the purpose of casting his ballot, and upon approaching said precinct was intercepted by Ignacious Donahue, a follower of Richard S. Whaley, a then candidate for Congress, and the said Ignacious Donahue offered to pay the said deponent the sum of $15 if he, the said deponent, cast his ballot for the said Richard S. Whaley, and the said deponent declined to do so.

Deponent further says that one, Frank Fosberry, also a qualified elector of the said county and State, informed the deponent that he, the said Frank Fosberry, received money from one of the followers of Richard S. Whaley in order to cast his ballot for the said candidate, Richard S. Whaley.

(Signed) F. BRANDES.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared Michael Bazarr, 12 Laurens Street, city of Charleston, State and county aforesaid, who, being duly sworn, deposes and says: That he is a qualified elector of the said county and State; that the first primary for the Democratic nomination from the first district of South Carolina was held in Charleston County on Tuesday April 1, 1913; that Richard S. Whaley, of the city of Charleston, was a candidate in the primary above mentioned; that on the day aforesaid he was with John Aulberry, 1 Inspection Street, in the city aforesaid, and that in his presence Jos. La Torre, 5 Inspection Street, wearing a Whaley badge and acting as a representative of the Whaley ticket, paid the said John Aulberry $10 for voting for his candidate, the said R. S. Whaley; that at the close of the day aforesaid, again his presence, the said Jos. La Torre paid more than six men about precinct L, ward 5, $10 apiece; that only one of the said men so receiving the said $10 was known to him, namely, August Rowe, 68 American Street, in the city aforesaid; that the said La Torre told him he had $600 to carry ward 5 for Whaley and could get $1,000 if necessary; that the said La Torre had apparently an unlimited supply of funds and spent the same most freely and liberally among the voters on the day of the primary aforesaid.

(Signed) M. BAZARR.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me, John Aulberry, of No. 1 Inspection Street, city of Charleston, State and county aforesaid, who, being duly sworn, deposes and says: That he is a qualified elector of said State and county; that on Tuesday, April 1, 1913, there was held in the city of Charleston the first primary for the Democratic nomination for Congressman from the first district of South Carolina; that about 11 o'clock of the forenoon on the day aforesaid he went to the polling booth No. 1 of ward 5, located on Society Street between Meeting and King Streets in the city aforesaid; that when he arrived there, he was met by one Jos. La Torre, who said he was rallier for Richard S. Whaley, one of the candidates for the aforesaid nomination, and that he had placed the above-named John Aulberry on the rallying committee of ward 5 in behalf of the interest of the said Richard S. Whaley, and that there would be paid him, John Aulberry aforesaid, $10 for his assistance in rallying about the said polls; that he, the said John Aulberry, remained about the said polls for about two hours; that about 7 o'clock on the same day aforesaid the above-named Jos. La Torre met the above-named John Aulsberry at the corner of Meeting and Society Streets in the city aforesaid, and that then and there he paid him $10 (in two $5 bills) for the said services he had rendered.

(Signed) JOHN AULBERRY.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared before me M. J. Barry and Phillip Fash, who, being duly sworn, each for himself, made oath that on a day about 10 days after the first primary, at the corner of Aiken and Columbus Streets, in front of the store of Phillip Fash, one of the deponents, Louis Morilla, having bought a package of tobacco inside, stood outside and started to talk. The deponent, M. J. Barry, started to tease him, saying that O'Shaughnessy would handle all the money in the second primary because Whaley wouldn't trust any of the men that handled it in the first primary after the poor results obtained in the first primary, whereupon Morilla said that he did not know anything about handling money and didn't want to handle it in the first primary anyhow, but Carey forced him to take some money, which he said was about $500, and that out of the $500 he has paid $100 for one vote and that the man to whom he had paid it had not even voted for Whaley, but had taken his $100 and gotten in the carriage and driven around all day. The balance of the conversation was of a pleasant nature, in fact the whole of it was of a pleasant nature and in a spirit of banter on one side and embarrassment on the other.

(Signed) M. J. BARRY.
PHILLIP FASH.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared Arthur H. Brouthers, who, being duly sworn, made oath that he was a challenger at Club 1, ward 10, on the day of the second primary, April 15, 1913; that he saw J. Frank Simmons with a roll of money about the size of a man's hat, and that voters were openly bought by him and paid off after they had voted; that voters were paid from $10 to $25 and men on what they called "working committee" were paid from $10 up; that these votes were being bought for R. S. Whaley.

(Signed) A. H. BROUTHERS.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared C. Conklin, who, being duly sworn, made oath that on the 15th day of April, 1913, the day of the second congressional primary at Charleston, S. C., one Louis Burns, with whom he is personally acquainted, approached him and offered to give him $50 if he would (the said C. Conklin) vote for Richard S. Whaley for Congress.

(Signed) C. CONKLIN.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me, a duly commissioned officer to administer oaths, Lester Schwartzburg, who, being duly sworn, deposes and says: That he is personally acquainted with Sam D. Barshay, of Charleston S. C., that during the recent congressional campaign and prior to the first primary, held at Charleston on March 15, 1913, the said Sam D. Barshay, during the course of a conversation relative to the political situation, offered a proposition to rent out this upper floor above his place of business for use as headquarters for Whaley, and that he would be guaranteed the sum of at least $500 for rent and drinks that were to be furnished during the campaign to supporters of Whaley who would use these headquarters. that the said Lester Schwartzburg persuaded the said Sam D. Barshay from doing this.

(Signed) LESTER SCHWARTZBERG.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared Frank Brylet, who, being duly sworn, made oath: That on the 1st day of April, 1913, the day of the first congressional primary, Frank Cox offered to give him $10 if he would vote for Richard S. Whaley; that a little later Milton Stalls also offered him $10 if he would vote for Richard S. Whaley, and that after refusing both these offers Pate Gruber offered to carry him to another man who would give him an order to Judge J. J. O'Shaughnessy for $15 if the said Frank Brylet would vote for Richard S. Whaley.

(Signed) FRANK BRYLET.

(The name is either Beylot or Brylet, very indistinct.)

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared Tommy Gleason, who, being duly sworn, made oath: That on April 15, 1913, the day of the second congressional primary, he saw John H. Strenken pay John J. Barrinean $15 for voting for Richard S. Whaley, candidate for Congress. Further, that Frank Simmons offered him $10 if he, the said Tommy Gleason, would vote for Richard S. Whaley.

(Signed) T. E. GLEASON.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared E. E. Harbeson, who, being duly sworn, made oath: That Robert Wickert approached him several days before the first primary held at Charleston, S. C., on April 1, 1913, and offered him $40 if the said E. E. Harbeson would vote for Richard S. Whaley for Congress and that the said E. E. Harbeson refused. And, further, that the said Robert Wickert spent at the store of the said E. E. Harbeson a sum approximating $30 for drinks in the interest of Richard S. Whaley's candidacy for Congress prior to the first primary.

(Signed) E. E. HARBESON.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared E. L. Clubb, who, being duly sworn, made oath: That on April 15, 1913, the day of the second congressional primary, Judge J. J. O'Shaughnessy gave him $10 for voting for R. S. Whaley for Congress; that the said Judge J. J. O'Shaughnessy sent one "Micy" Numzenmaier to see that the said E. L. Clubb put the ballot for Whaley in the ballot box; that the said E. L. Clubb went to the polls but did not vote, but agreed with "Micy" Numzenmaier that he report him as having voted O. K.; that the said "Micy" Numzenmaier reported to Judge J. J. O'Shaughnessy that the said E. L. Clubb had voted O. K. for Whaley and that thereupon he was handed $10 by the said J. J. O'Shaughnessy, who was one of the cashiers for Whaley in ward 9, and that he, the said E. L. Clubb, gave $2 to the said "Micy" Numzenmaier for his part in the deal.

(Signed) E. L. CLUBB.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared H. F. Hogan, who, being duly sworn, made oath: That upon information from Robert Wickert, R. C. Richardson had given the said Robert Wickert the sum of $200 for his influence on election day in behalf of Richard S. Whaley, candidate for Congress in the first primary held at Charleston, S. C., April 1, 1913.

(Signed) H. F. HOGAN.

In the presence of Frank K. Torlay, S. D. Sargeant, witnesses.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared Robert Smart, 26 Cooper Street, city of Charleston, who, being duly sworn, made oath: That he is a qualified elector in the State and county aforesaid; that the second primary for the Democratic nomination for Congressman from the first district was held on Tuesday, April 15, 1913; that Richard S. Whaley was a candidate for the aforesaid nomination; that about three days before the said primary Judge J. J. O'Shaughnessy approached him and offered him $10 if he would vote for Whaley, and that he refused the same; that on the day of the primary aforesaid he was met by Frank Cox and Milton Stoll, two representatives of the Whaley ticket, and wearing Whaley badges, and that the said Cox and Stoll offered him $10 if he would vote and work for Whaley, which he refused; that at the polls of ward 9 on the same day when he went to cast his vote he saw Judge J. J. O'Shaughnessy, cashier for Whaley in ward 9, with apparently an unlimited supply of funds, and he saw John Steenker pay J. J. Barrinean, 26 Blake Street, $15 for having voted for the said Whaley.

(Signed) ROBERT SMART.

Sworn to and subscribed before me this the 29th day of September, 1913.

(Signed) JOHN I. COSGROVE,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared M. H. Fulcher, No. 28 Bertha Street, who, being duly sworn, made oath that Hon. Frank Simons, of Charleston, State and county aforesaid, approached him and told him the day before the first primary for the Democratic nomination for Congressman from the first district of South Carolina, which was held on Tuesday, April 1, 1913, and in which Richard S. Whaley was a candidate for the aforesaid nomination, that he would pay him, the said Fulcher, $15 if he would vote and work for the said Richard S. Whaley on the day of the primary aforesaid; that he did so vote and work; and that about three days after the said primary the Hon. Frank Simons, aforesaid, paid him the said $15 at his residence on Meeting Street; that there were a large number of men at the house of Mr. Simons at the same time waiting to be paid off.

(Signed) M. H. FULCHER.

Sworn to and subscribed before me this the 29th day of September, 1913.

(Signed) JOHN I. COSGROVE,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared A. W. Reynolds, No. 30 Bertha Street, who, being duly sworn, made oath that the first primary for the Democratic nomination for Congressman from the first district of South Carolina was held Tuesday, April 1, 1913; that Richard S. Whaley, of Charleston, was the candidate for the aforesaid nomination; that the said Reynolds was approached by August Rowe, 68 American Street, and offered him $25 if he would vote for Whaley, which he declined. That in the second primary for the aforesaid nomination Judge J. J. O'Shaughnessy was cashier for the said Whaley in ward 9, in the city of Charleston; that the said O'Shaughnessy in his presence paid more than a dozen men in front of poll 1, in ward 9, from $10 to $20 for their votes for Whaley; that the said O'Shaughnessy had an unlimited supply of money and spent it most freely in every direction.

(Signed) A. W. REYNOLDS.

Sworn to and subscribed before me this the 29th day of September, 1913.

(Signed) JOHN I. COSGROVE,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared Samuel D. Barshay, who, being duly sworn, made oath that he is engaged in business at No. 431 King Street, in the city of Charleston; that some time before the first primary one E. G. Heape came to him and, explaining that he was related to Mr. Whaley, said that (Heape) would pay him $300 for the use of his upstairs until after the election. Mr. Heape said that if he had any doubt about his authority to make the deal, he would bring Dr. Whaley, who was the candidate's brother, to see him to back it up.

Mr. Heape had money which I saw, which he said was to be used for Mr. Whaley. The day before the second primary Mr. Heape came into my place and set up the crowd and spent $16 in the interest of Mr. Whaley and gave me a check for it. I put the check through the bank, but after the election was over, it was returned unpaid. I have the returned check, signed "E. G. Heape" (R. S. W.) Mr. Heape gave this check. I was so satisfied from the way that he had spent his money for Whaley and from the interest which he took in Mr. Whaley's campaign that there was no doubt that this check would be honored.

(Signed) SAMUEL D. BARSHAY.

Sworn to and subscribed before me this 29th day of September, 1913.

(Signed) HARRY L. WILENSKY,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared J. H. Noland, 306 Ashley Avenue, who, being duly sworn, deposes and says: That he is a qualified voter in Charleston county, State and county aforesaid; that Richard S. Whaley was a candidate for the Democratic nomination from the first district of South Carolina for Congress in the first primary, which was held in Charleston on Tuesday, April 1, 1913; that on or about that date he received $120 from a representative of the Whaley interests to be used the primary aforesaid.

(Signed) J. F. NOLAND.

Sworn to and subscribed before me this 30th day of September, 1913.

JOHN S. COSGROVE,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared before me C. Crovatt, who, being duly sworn, made oath that on the second primary in ward 11, on April 15, 1913, he was paid $10 by Patrick Hanley to keep the boys in line and vote for Mr. Whaley. My daily wages are $1.60 a day, as division detective for the Southern Railway Co.

(Signed) C. CROVATT.

This the 29th day of September, 1913.

JOHN I. COSGROVE,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared A. Seebeck, 55 State Street, who, being duly sworn, made oath: That he is a qualified elector in the county of Charleston, State aforesaid; that in the first primary for the Democratic nomination from the first district of South Carolina Richard S. Whaley was a candidate for the aforesaid nomination; that one Thomas Young represented his interests in ward 3; that the said Young told him he had more than $250 to spend for Whaley; that he saw Young give money, in varying amounts from ten to twenty dollars, to men before the polls, for having voted for the said Whaley.

(Signed) A. SEEBECK.

Sworn to and subscribed before me this the 30th day of September, 1913.

(Signed) JOHN I. COSGROVE,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared M. J. Barry, who, being duly sworn, made oath that on either the Tuesday or Wednesday night of the week following the second primary for Congress, which was held on April 15, 1913, the deponent was standing in the door of Phillip Fash's grocery store, at the corner of Columbus and Aiken Streets, talking to Phillip Fash, when he saw Judge J. J. O'Shaughnessy coming along Columbus Street. His attention was called to O'Shaughnessy by Mr. Fash. I had been informed that it was the judge's habit to inquire about me in very uncomplimentary way, and Mr. Fash said to me, "Here comes the judge, and if you will get behind the screen you'll hear what the judge has to say about you." I did so; and in a few moments the judge came in. He opened the conversation by saying, "How is one-legged Barry?" I heard Mr. Fash say to him, "I think he's all right." O'Shaughnessy said, "He hasn't got anything to do yet?" Mr. Fash said, "No." The judge says, "They don't intend to do anything for him. I know Grace." Then he said, "Well, how is one-eyed Dunlap? I see him and Malone loafing around Broad Street, and I suppose maybe he will get something to do, or he must be looking for something to do;" something to that effect. The judge said, "Everybody satisfied by Sargent?" Fash said, "I think so; have not heard any complaints." Then Mr. Fash said, "I think he is one of the straightest fellows I know of in politics, but I have heard complaints from the other side," meaning the Whaley faction. Then the judge said, "Everybody on that side is satisfied, for I paid them off myself." Mr. Fash said, "I think, Judge, from the $5,000 you had, they should be satisfied." O'Shaughnessy said, "Oh, the other side had as much." Mr. Fash said, "Judge, I know they did not have any $5,000, because I tried to get money from Steve Sargent, Billy Wingate, Jervey and ——— ———, and I feel confident if they had it, I could have gotten some. This was early in the morning when I asked for it. I was told there was none in sight. They had none." The judge then said, "Well, anyway, I did the same for Grace in his campaign; it takes the mazuma to do it, and we did it. With Whaley's $5,000 in the ward, they should have carried everything." There was other talk, and after a while Judge O'Shaughnessy went out. Before going, however, he said that $5,000 was not enough to satisfy everybody in the second primary, and then he sent down $500 more, and Mr. Whaley was out of town and he could not get it until a Saturday morning. He settled up with everybody. This latter statement coincided with my own knowledge, because the Saturday night after the election I heard that O'Shaughnessy was paying off at Joe Addison's, and I went there and saw him with the money. I borrowed one dollar from him in the presence of many of his lieutenants who were there being paid off. Early on the morning of the second primary, and shortly after the polls were open, the question arose about the right of a certain voter to vote at Club 2, ward 9, and great excitement prevailed, with the result that they sent for Judge O'Shaughnessy to decide it. As he came to the poll several of the opposing side protested very boisterously against his right to have any say in the matter, as he was

not one of the managers. He looked over at me and grinned, and held up a large package wrapped in a newspaper and said, "Don't ——— ——— ——— — mazuma, and it will win to-day." He then went into Barney Carey's house and stayed in there paying off the voters as they were brought in.

(Signed) M. J. Barry.

State of South Carolina, *Charleston County:*

Personally appeared H. Frank Hogan, who, being duly sworn, makes oath that: Just before the first primary I met Mr. Whaley in front of the Commercial Bank. Mr. Whaley says, "Frank, I hope you are with me in this campaign." I says, "No, sir; I am with Mr. Hughes." I knew him well, and had been with him in every other campaign—that is, Mr. Whaley. Mr. Whaley said to me, "I am surprised, Frank, that you are not with me. How come you to be with Hughes?" I was with him on principle. He said to me, "My God, man, I thought I'd have you with me, to handle my financial parts in the upper wards. I am going to Congress, or I am going broke."

I was in ward 9, and saw the following men handling money all day for Richard S. Whaley: In the first primary, Barney Carey, Louis Morilla, Harry Friend, R. Wicket, Bob Hog. Harry Friend told me that he received $300 from Richard S. Whaley to spend in his behalf; also Wicket received $200 to spend in Whaley's behalf.

Campaign fund for Von Kolnitz in first primary handled by Milligan, Cox, Stahl, and Blanch. Von Kolnitz got defeated in first primary, and Mr. Whaley threw down the men who handled his money in the first primary and turned it over to J. J. O'Shaughnessy, Harry Milligan, Milton Stahl, and F. M. Cox, and I seen spending money in the first primary, told me that besides what he got, Barney Carey and Louis Morilla got $2,000 between them to be used for Whaley in the first primary. He also said that Bob Hog got money, but he didn't know how much. The working committees were paid off from Milton Stahl's house Saturday night, after the second primary. Some come out grumbling because they didn't give them more than $10.

(Signed) H. F. Hogan.

State of South Carolina, *Charleston County*:

Personally appeared Carl Stanfill, who, being duly sworn, made oath that on April 15, 1913, the day of the second congressional primary in Charleston, S. C., Mike Filiherti told him, if he would vote for Richard S. Whaley, that Barney Carey would give him no less than $7.50, and that if he, the said Carl Stanfill, didn't vote for Richard S. Whaley, he would lose his job.

(Signed) Carl Stanfill.

State of South Carolina, *Charleston County:*

Personally appeared Henry C. Heins, who, being duly sworn, made oath: I saw Mr. J. J. O'Shaughnessy go into Mr. B. P. Carey's house and give Enoch Finklea $7.50; he came out of the house and gave me 50 cents out of the $7.50. I saw J. J. O'Shaughnessy stop between Reid Street and Amherst Street, on American Street, and give J. E. Driggers $15. I heard J. J. O'Shaughnessy say he has $5,000 to carry ward 9 for Richard S. Whaley.

(Signed) H. C. Heins.

State of South Carolina, *Charleston County:*

Personally appeared before me M. J. Barry, who, being duly sworn, made oath that he met J. J. O'Shaughnessy in Hemstead Hall, previous to the first primary, and was talking about the candidates. I inquired what candidate he would support. He said Mr. Hughes was a fine man, but he would not support him on account of Grace, and he would be hands off in the first primary on account of the favor Mr. Peurifoy had done for him.

(Signed) M. J. Barry.

State of South Carolina, *Charleston County:*

Personally appeared William Singletary, who, being duly sworn, made oath that on the 15th day of April, 1913, the day of the second primary, he saw Judge J. J. O'Shaughnessy send J. Driggers to the poll to vote, after giving him a ballot; that he followed the said J. Driggers to the polls in ward 9; that after voting he followed the said J. Driggers and saw him return to Judge J. J. O'Shaughnessy, who handed him $15 for voting; that he followed E. M. Reeves and James Reeves in a like manner of operation, and after they had voted he saw them return to Judge J. J. O'Shaughnessy, who handed them each the sum of $25; that he later followed two other men whose

names he does not know, who left the said Judge J. J. O'Shaughnessy, went to the polls and voted, and returned to the said Judge J. J. O'Shaughnessy, who paid them each $10.

(Signed) WILLIE SINGLETARY.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared A. F. Dunlap, who, being duly sworn, made oath that on April 15, 1913, he was a watcher at the polls in ward 9, Charleston, S. C., Club 1, for E. W. Hughes, candidate for Congress; also that he was a watcher at the polls for E. W. Hughes on March 15, 1913, the day of the first primary; that several days before the second primary Frank Cox, who was a worker and challenger at said polls for Richard S. Whaley, the said Frank Cox approached the said A. F. Dunlap and asked him to "lighten" up on him so that he, the said Frank Cox, could vote illegal votes for Richard S. Whaley and that the said Frank Cox would see to it that he would get paid, and that he, the said Frank Cox, would collect the money for the said A. F. Dunlap for this and bring it to him.

(Signed) A. F. DUNLAP.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared A. F. Dunlap, who, being duly sworn, made oath that prior to the first congressional primary in Charleston, S. C., on April 1, 1913, one Willie Cox approached him and offered him $20 if he would go for Von Kolintz; that the said Willie Cox told him that Sheriff Martin had instructed him to try and get the said A. F. Dunlap to support Von Kolintz; that the said Willie Cox claimed at the time to have told Sheriff Martin that Dunlap couldn't be touched with $20 and that Sheriff Martin told the said Willie Cox to offer Dunlap $25.

(Signed) A. F. DUNLAP.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared G. Narclo, who, being duly sworn, made oath that he is engaged in the restaurant business at No. 49 Market Street; that his place is a great hangout for the men of that neighborhood; that until the election in which Mr. Whaley was elected his business was dull, but when the campaign started numbers of men began to show up with money and to spend it freely, declaring that it was Whaley's money, among others Maxie Goldman, Bubber Mantonise, Frank Trsoberry, and many others flashed money around and said it was "Whaley's money;" that Maxie Goldman suddenly at the outset of the campaign showed large sums of money and openly offered to give it to anyone who would vote for Whaley; somebody said Hughes was a "cheap screen" and could not win on that account; deponent had a man staying with him for five years, whom he had fed and cared for, and this deponent heard he had voted for Whaley, although deponent has told him that he wanted him to vote for Hughes; the man's name was Sanchez Sankfort; that Sankey's answer was that the Whaley people had paid him and that he wanted the money; the man who paid him was Max Goldman. Sanchez tried to hide from deponent, he was so ashamed, and deponent refused to let him go to his room for two days. He was an old and feeble man and deponent got sorry and relented; he is now in the almshouse.

(Signed) G. GARADO.

(Name very indistinct; supposed to be G. Narclo.)

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared Frank Fosberry, 125 Church Street, in the city of Charleston, State and county aforesaid, who being duly sworn, deposes and says: That he is a qualified elector in the said county and State; that the first primary for the Democratic nomination from the first district of South Carolina was held in Charleston County on Tuesday, April 1, 1913; that for five or six weeks prior to this date he, together with Ignatius Donaghue, 38 Tradd Street, and August Montanese, 215 East Bay Street, city aforesaid, as hall keepers, ran a hall in the said city which was used as one of the headquarters of Richard S. Whaley, a candidate for the nomination aforesaid; that he, the said Frank Fosberry and August Montanese received $7 a week for the services so rendered, while Ignatius Donaghue was paid $15 a week for his services; that in all he and the said Montanese were paid a total of $70 and Donaghue a total of $75 before the primary aforesaid was held; that for two or three weeks before the said primary whisky and beer and cigars were dispensed without charge each evening to the supporters of the said Richard S. Whaley; that on the morning of April 1 he went to precinct No. 2, ward 3, on State Street between Queen and Cumberland Streets, and

was there met by Thomas Young, of 20 South State Street, city aforesaid, who was wearing a Whaley badge and known as a rallier of Whaley; that the said Young had seen him, the said Fosberry, the evening before at Whaley's headquarters and had offered him between $20 and $30 for his vote at the primary on the day following; that the said Young before the polls opened distributed a large number of badges among the men congregated around the above-mentioned poll; that the said Young on the morning referred to offered him only $10 for his vote, but he protested, and then Young gave him $10, with the remark, "That will hold you for awhile"; that about 3 o'clock of the same day he met the said Young again at the same poll, and told him he wanted some more money; that thereupon Young took him over to a saloon and bought him a drink and then and there gave him $10 in paper money (10 one-dollar bills); that about 9 o'clock on the night of the same day he again met Young on the corner of State and Queen Streets, and upon his request for more money the said Young paid him $10 in bills (2 fives) for his services as rallier; that he was around the polls of the said ward for about four or five hours of the day aforesaid; that the said Thomas Young, as a representative of the interests of Richard S. Whaley, in his presence and at the same place at the same time paid Richard T. Fonte, 28 Queen Street, city aforesaid, a sum of money, the amount of which he does not know; that the said Young also at the same place and time in his presence paid August Montanese, above mentioned, $5 for his help around the polls; that the said Young was about the poll in the ward referred to all day buying drinks for the fellows; that he had an apparently unlimited supply of funds and spent the same most freely; that on the day following the primary aforesaid Max Goldman, 182 King Street, in the city aforesaid, a representative of Whaley at the polls the day before, came into the store of A. Seebeck, 55 State Street, and was met by Richard T. Fonte, Vincent Fonte, and August Montanese, all of whom had voted for Whaley on the day previous; that the said Fonte brothers and Montanese before the arrival of Goldman were dead broke and begging for a drink; that after Goldman had come and gone each of them had more than $10 apiece.

That the second primary for the Democratic nomination for Congressman from the first district of South Carolina was held in the county of Charleston on Tuesday, April 15, 1913; that he, the said Frank Fosberry, after having voted in his ward, namely, ward 3, went over to the polling booth of ward 2, corner of King and Broad Streets, in the city aforesaid; that there he was met by Thomas J. O'Keefe, 75 King Street, in the city aforesaid, wearing a Whaley badge and acting as a representative of the Whaley interests, and that the said O'Keefe, with his consent, voted him illegally under a fictitious name at the said poll, the said O'Keefe paying him $12 for so voting; that the said O'Keefe also voted in the same way and at the same time his companion, Vincent Fonte, 28 Queen Street, in the city aforesaid, and that he saw the said O'Keefe pay the said Fonte $12 for voting.

That one Jack Lehman, 32 Savage Street, in the city aforesaid, in the second primary and on the day above mentioned, as a representative of Whaley's interests and wearing a Whaley badge, in his presence voted one man, Joseph Nolan by name, three times at the same poll, precinct 1, ward 3, under fictitious names; that in his presence the said Lehman paid the said Nolan $10 each for the first two votes, but that after the third vote Lehman took the said Nolan down an alley, in sight of the said Fosberry, and passed some bills to the said Nolan the amount of which could not be ascertained from the distance; that in his presence, on the same day and about the same hour at the same poll, namely, precinct 1, ward 3, in his presence the said Lehman handed $5 to one Max Goldman, 182 King Street, and the said Goldman gave the said $5 to one Vincent Foote, who was standing by the polls.

(Signed) FRANK FOSBERRY.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared H. Leon Larisey, who, being duly sworn, made oath that he is a resident of the city of Charleston, Charleston County, State of South Carolina; that he was a candidate for Congress in the Democratic primary held in the first congressional district in August, 1912, his opponent being the late Hon. George S. Legare; that in said election he polled a very large vote in Colleton and the other counties of the district; that his said candidacy brought him in intimate political touch with the whole district, in addition to which he had traveled over and through it from his earliest boyhood; that he was also a candidate in the early part of the recent special election, in which Mr. Whaley was returned to Congress to succeed Mr. Legare; and that he withdrew from said race because he realized in the early stages that it was to be a money campaign, which was notorious throughout the district; that he took a deep interest in the campaign, and after he had withdrawn

worked for the election of E. W. Hughes, and traveled throughout the district; that during the campaign, and especially on the day of the first and second primaries, money was present everywhere, in the hands of Whaley workers; that after the election and when Mr. Whaley was declared the nominee, all the newspapers and the entire citizenry of the district openly proclaimed that it had been a money election and that conditions had gotten to a terrible point; that systematically, immediately after the election, he began a county to county investigation of the amount of money that had been used by Mr. Whaley, and of the parties who had handled it for him, as he had been advised that there would be a congressional investigation; that his plan was to go to the county seat and learn from the leading citizens something about who the supposed handlers of Mr. Whaley's money were, and that from this lead he would go into the various localities and talk with, if possible, the parties themselves, making notes of what they would say, or, if not possible to talk with them, then with others who saw and knew of their own personal knowledge that they were handling the money. The result was that he made the notes which are hereto attached and marked "Exhibit A," and made a part of this affidavit; that these notes were necessarily brief and disjointed, and that by no means in full the statements and information which he could get; that, based upon these notes and upon witnesses who, if subpœnaed, would sustain them, this deponent makes oath that Mr. Whaley, in the second primary, distributed first, in Colleton County, primarily through Mitchell Whitsell, but secondarily through many others, the sum of $5,000 for the purpose of buying votes; that Mr. Whaley distributed in Dorchester County, in the second primary, primarily through O. B. Limehouse, Walker S. Utsey, and H. H. Groce, but secondarily through many others, the sum of $6,000; that in Clarendon County Mr. Whaley distributed, in the second primary, primarily through Dr. Dick, of Sumner, S. C., but secondarily through Ben Harvin, Walter Logan, J. H. Timmons, and many others, the sum of $6,000; that in Berkely County Mr. Whaley distributed, in the second primary, primarily through Russell Williams, but secondarily through many others, the sum of $2,900, all for the purpose substantially of buying votes; that in addition to the money used there was used at every precinct in these counties quantities of whisky, also furnished by Mr. Whaley or his lieutenants, in the above manner.

That in numerous cases this deponent was told of promises made by Mr. Whaley of Federal office, such as the post office at Manning and St. George, the first of which was promised to J. D. Gerald and C. W. Wells, each of whom and whose entire factions on that account openly worked hard for Mr. Whaley; that both of these parties in person told deponent that they had been so promised and that they gave him their support on these grounds; that while this deponent made no systematic investigation of money used in the city of Charleston, he did, nevertheless, spend the whole day of the first and second primaries in wards 9, 10, and 11 in the city of Charleston; that in ward 9 it was everywhere evidence of Whaley's money, and that this deponent saw J. J. O'Shaughnessy buying votes as they were brought in; that votes were sold in ward 9, according to the statements made on election day and which were considered indisputable then, for as high as $30 and $35; that in ward 10 he saw J. Frank Simmons handling Whaley money and buying votes; that it was on the lips of everybody everywhere he went on election day that votes were being openly bought and sold; that on Saturday, April 12, prior to the second primary, J. J. Miller and deponent were walking down on King Street and met "Highball" Brown, just in front of Brown's clothing store, on King Street near Burns Lane. After talking a few minutes regarding the approaching election, "Highball" Brown pulled out of each hip pocket a roll of bills, one being about an inch and a half in diameter, seemingly of $10 bills; the second roll somewhat larger, apparently of $5 bills. He said to us that our candidate, E. W. Hughes, had no chance of being elected, giving as his reasons for so stating that Whaley was putting out money in large chunks and blocks, and then, still holding the money in his hands, he said: "See this; I have just come from Whaley's office, and this was given to me to spend up in ward 11 with the boys and keep them together until Tuesday." He stated that it was as free as water with Whaley and that anybody could get it. He said that Whaley had a large table in his office which was covered with packages of bills—$5, $10, and $20—and that it was not a question of how much you needed, but how much you could use.

(Signed) H. Leon Larisey.

EXHIBIT A OF MR. LARISEY'S AFFIDAVIT.

Dr. W. B. Ackerman, Walterboro, S. C., handled Whaley funds very extensively in Colleton County for second primary. He does not deny it; see statement. He went with me to my room, No. 12, at the Albert Hotel, Walterboro, Saturday a. m., 14th, and after talking to him a few minutes he stated to me that what I had heard was true; that he had handled Whaley money and that he had no reason to lie about the matter, for he knew that I and many others knew it. I asked him who else handled it, and he stated that Mitchel Whitsell, Jas. Peurifoy, A. A. Paterson, and others, were the main ones, but that Mitchell Whitsell had gotten him to do it. I then asked him for a statement in writing. He said that he was an honest man and would testify to all that he had told me and everything else that he knew; but as to making a written statement at this time, that he would prefer seeing his attorney first. He said that he would not lie or perjure himself to save anybody, regardless of the fact that we could easily prove it on him. His home people knew it, and if he did not tell the truth they would know that he had perjured himself.

I then asked him how much he had handled and from whom he had gotten it. He told me $300 from Mitchell Whitsell, and that he had used that and $100 more of his own money.

From his talk I feel that Whitsell is the main man, as he said that he would not have handled it if it had not been for Whitsell, who is a brother-in-law of James Peurifoy.

P. M. Buckner, Ravenels, S. C., handled Whaley funds in Colleton County. Statement by Dr. W. B. Ackerman, Hugo Strickland, H. D. Padgett, jr., and D. M. Carter.

D. M. Carter, "Nard." Ruffin, S. C., handled Hughes's funds and states that H. D. Padgett, jr., handled Whaley's at Ruffin, together with John E. Herndon and James W. Wiley. He further stated that the Peurifoys, M. Whitsell, A. A. Paterson, Dr. W. B. Ackermann and P. E. Buckner distributed the Whaley funds for Colleton County.

Mr. B. B. Crosby, Ruffin, S. C., clerk for H. D. Padgett, jr., states that both Whaley and Hughes money was plentiful there on second primary, and that James C. Padgett and an old man Dunk distributed the Hughes funds, and the Peurifoys, M. Whitsell, Dr. W. B. Ackerman, and A. A. Patterson distributed the Whaley funds. Wiley and Herndon had the Whaley money at Ruffins.

John E. Herndon, Ruffins, S. C., handled Whaley funds at this box on day of second primary. So states D. M. Carter, who handled the Hughes fund here, also B. B. Crosby, who was a Whaley man.

H. D. Padgett, Ruffins, S. C., states that there was much money and whisky in evidence here on second primary, and that the people seemed to be looking for the one who would pay the most for their votes; states that the Peurifoys, M. Whitsell, Dr. W. B. Ackerman, and others distributed the Whaley money, James G. Padgett and old man Dunk the Hughes fund.

A. A. Patterson was also very active all over county and made no secret of having Whaley money.

James Peurifoy, Walterboro, S. C., assisted in handling the Whaley funds for Colleton County on the second primary; statement by Dr. W. B. Ackerman, Hugo Strickland, D. M. Carter, B. B. Crosby, H. D. Padgett, jr.

A. A. Patterson, Walterboro, S. C., was very active all over county, openly handled Whaley funds, and on day of second primary he was at Peeples poll openly buying votes, and after the votes were counted made an address to the crowd, saying that they were 140 better off by his being there and that he had been well paid for his work. S. A. Driggers, Calvin Crosby, Moorer, and others.

H. K. Strickland, Lodge, S. C., handled Whaley funds for this place; so states Dr. Ackerman, Dan B. Peurifoy, Hugo Strickland, and D. M. Carter.

Hugo Strickland, county superintendent of education, handled $100 for Hughes; states that Dr. W. B. Ackerman, James Peurifoy, A. A. Patterson, Mitchell Whitsell handled Whaley funds for county; says that J. G. Padgett and old man Dunk gave the Hughes money to their family and sent them fishing. He feels that they all laid down on us. He is awful sore on Padgett and says that he will never support him again for anything.

D. B. Peurifoy talked with me Friday a. m., on way from Waterboro to Ruffins. He drove me, and in his machine stated in conversation with me that Whaley money was what changed Colleton County and took it out of J. G. Padgett's hands. I asked him how much money Whaley put up in the county and he replied $5,000; said that not all of this was spent to buy votes on election day, but was useful prior to that for the purpose of buying influence, by placing the money in the right people's hands throughout the county; putting it out among their friends, as he put it, claiming the credit for carrying the county for his set.

He was very sore on his brother Jim, saying that he did nothing for John, but was used by Whaley in the second primary; said money would make some people do

anything. I asked him who handled the Whaley funds and he said Mitchell Whitsell, James Peurifoy, Dr. W. B. Ackerman, A. A. Patterson, and a few others. He did not seem to know what I was after, but on Saturday, at dinner, he asked me if I thought we would be successful in unseating Whaley. I told him, "yes"; and he stated that there was a lack of good evidence, and that something should be done.

A. S. Appleby, Reevesville, S. C., Dorchester County, as to methods, money, and whisky, says Dr. Dick Johnston handled Whaley funds at this place.

Joe Bryant, Reevesville, S. C., Dorchester County, as to methods, money, and whisky, says that Dr. Dick Johnson handled the Whaley funds at this place.

H. J. Baker, good witness, Harleyville, S. C., Dorchester County, as to handling of Whaley funds by H. H. Groce and Maurice Moorer.

M. J. Eagan, Summerville, S. C., Dorchester County, states that Judge Hutchinson openly handled Whaley funds, buying votes at the Driggers poll in Summerville.

George W. Fairey, St. George, Dorchester County, will swear that one D. A. Wamer told him and F. W. Parley that he was not going to take any part in the election unless he was paid $100 in advance. They told him they would not give him that, and he said O. K., that he could get it. Wamer then went up into W. S. Utsey's office, came back and when asked if he got it slapped his pocket and replied, "Yes; I have it, and I am against you." He immediately began actively supporting R. S. Whaley.

Henry Groveman, Summerville, S. C., statement as to O. B. Limehouse using money and whisky at Dorchester poll and intimidation of votes.

O. B. Limehouse and his father, Bunk Limehouse, swore that they would not stand for watchers being sent there, and that they would run the poll to suit themselves.

H. H. Groce, handled the Whaley funds for Harleyville. C. C. Parler states that one E. L. Pearcy, cashier of the People's Bank of Harleyville, S. C., told him that H. H. Groce not only spent all the money he had in hand for Whaley on the say of the second primary, but that Groce drew out of his bank $100 in the afternoon and told him that he was going to buy votes for Whaley and that Groce has since gotten a check from Whaley to make good this extra expenditure, check being marked "charge to special account."

Judge Hutchidon handled some of the Whaley money at Summerville, S. C., stated by M. J. Eagan.

E. C. Hughes and brother, St. George. S. C., Dorchester County, will testify as to the use of money and whisky by the Johnsons and W. S. Utsey.

Shep Hutto, St. George, S. C., Dorchester County, will testify as to the use of money and whisky by the Johnstons and W. S. Utsey. Also states that he, with G. A. Patrick, was told by Dr. Harley at Dorchester depot the Sunday after the second primary that he had used all the money that was given him for Whaley, and in addition he had spent $100 of his own. They had promised to send it to him, but had failed to do so up to that time.

Joe Howell, St. George, S. C., Dorchester County, makes affidavit as to Dorchester poll at Summerville, S. C., and will testify as to other corruption.

Dr. Carlisle Johnson handled Whaley money at St. George, S. C., first and second primary.

Dr. John Johnson handled Whaley money at Indian Fields poll first and second primary.

Dr. Dick Johnson handled Whaley money at Reevesville poll first and second primary.

C. E. Kiser, St. George, S. C., saw money handled by Dr. John Johnson at Indian Fields poll.

Kiser's life threatened; see letters left in buggy and reply in the Dorchester Eagle.

Judge Long, Summerville, S. C., information as to O. B. Limehouse money and whisky. This was message sent us.

O. B. Limehouse handled bulk of Whaley money and whisky for Dorchester County. Find evidence of it everywhere. Statement by C. C. Parler, F. N. Parler, R. Lon Weeks, W. B. Browning, C. E. Kizer, and others.

Maurice Moorer works for Southern Road; handled money all through Dorchester County prior to election and came to Harleyville, S. C., on 12 o'clock train on day of second primary, remaining until polls closed; openly bought votes for Whaley at $8 each; C. C. and O. H. Parler witnessed this, together with H. J. Baker, who will give names of parties who were paid.

M. J. Moorer, Summerville, S. C., will testify as to money and whisky used by O. B. Limehouse and others at Dorchester poll at Summerville first and second primary.

I. Max Mims, St. George. S. C., makes affidavit as to Dorchester poll at Summerville, S. C., and will testify as to other corruption.

M. W. Moorer, Pregnall, S. C., handled Whaley funds to extent of $100 on day of second primary.

Cantwell Muckenfuss, Ridgeville, S. C., handled Whaley money on day of second primary.

G. A. Patrick, Dorchester, S. C., statement of Dr. Harley in presence of Shep Hutto at depot as to his having spent all money sent him for Whaley and $100 more of his own money, which had not been sent to him, according to promise. This was the Sunday morning after second primary.

Rhett Way paid $10 by O. B. Limehouse.

Fitz N. Parley, St. George, makes affidavit as to D. A. Wamer, backed by George W. Fairey, who will make good witness at to amount paid Wamer by Utsey and others.

C. C. Parler, Harleyville, S. C., will testify as to Groce relative to handling Whaley's money; also as to $100 check for additional expenditure.

C. H. Parler, Harleyville, S. C., for some information.

E. L. Pearcy, Harleyville, S. C., cashier of People's Bank, will make good witness as to Groce. I did not talk to him about this, but C. C. Parler did and states that Pearcy will not deny any part of the transaction.

C. C. Scurry, Summerville, S. C., will testify as to money, whisky, and other methods used by Limehouse and others at Summerville and Knightsville.

L. B. Simmons, St. George, S. C., makes affidavit and will make fine witness; states that John Way told him that he went down to Whaley's office on Friday before second primary and was given $100 to work for Whaley. Way showed him the money.

J. Henry Behling took an auto and went 4 miles for Irvin Way, Dick Way, and Ed Wetherford; paid him $3.50 each for their votes for Whaley and carried them back home.

Dr. Carlisle Johnson kept annoying him to support Whaley and told him he could get anything he wanted and went with him to Utsey's office, where he was offered $100 and he refused it; then they offered him $50 just to stay home on the day of the second primary.

J. Henry Behling also offered him money.

Archie Thrower, Ridgeville, S. C., handled Whaley funds to the extent of $140 on day of second primary.

Dick Thompson, St. George, S. C., swears that he saw Dr. Carlisle Johnson paying $3.50 each for votes at St. George early on day of second primary.

Walter S. Utsey, of St. George, S. C., handled several hundred dollars for Whaley between the 11th of April and the 14th; much more on the 15th—the second primary.

See statement of L. B. Simmons, Fitz N. Parler, and George W. Fairey.

E. B. Williams, St. George, S. C., knows made to him on the day of second primary as to money and whisky.

Charles J. Winningham, Jetburg, S. C., will make a fine witness as to money and whisky used at Knightsville poll first and second primary, Berkeley County—everybody seems to feel that they will have to tell the truth, as it is too well known for them to do otherwise.

J. W. Brittingham, Monks Corner, S. C., valuable witness; will also make affidavit; will testify as to the handling of Whaley money and whisky by Russell Williams, Sheriff Causey, Jim Hill, E. J. Dennis, and others state that Sam Wiggins handled funds with Dennis at Macedonia poll; also Sam Mitchum handled Whaley money at Bethea poll. Many other facts which Brittingham will write out and make oath to in form of affidavit.

W. E. Burkett, Bonneau, S. C., manager at Macedonia poll, was paid money and will testify at to use of whisky and money by Mitchum, Wiggins, and Dennis.

C. P. Ballentine, St. Stephens, S. C., will testify as to the use of money and whisky by G. Rittenburg, who had charge of Whaley funds for that place; gave E. D. Jaudon $25 and Primus Russell $25 These two were Hughes men until the morning of election, and told Ballentine in presence of H. W. Lorenz and Judge Wilder, Dan Riff, and others, that they got it to work for Whaley. See statement of Lorenz, Riff, Wilder, and Stokes. States that J. Russell Williams handled campaign money for Whaley throughout entire county. Sheriff Causey got $100. Brittingham was present and went with Causey to Bonneau; met Ira Grady and discussed the use of the money. Grady backs up Brittingham in this statement. Also says that they bulled Causey about his using the money and shamed him before several others. (See Ira Grady's statement.)

E. J. Dennis, Monks Corner, S. C., handled $200, which he turned over to Sam Wiggins at Macedonia poll and to Sam Mitchum at Bethea poll. He worked at Macedonia with Sam Wiggins, who openly bought votes. Dennis would vote them and send them to Wiggins, who paid them. Information by Grady, Brittingham, and others.

Flitcher Grooms, address Ridgeville, S. C., R. F. D., handled money and whisky for Whaley at Hiltons Roads; got it from Russell Williams. P. H. Missell states that Grooms told him that he would not deny it.

Willie Grooms the same as above.

Ira Grady, Alvin post office, states that he was present at Bonneau, S. C., and heard conversation between Causey and Brittingham as to the $100; also states that Sam Mitchum handled money and whisky for Whaley throughout Hell Hole section prior to election and at Bethea poll on election day; also states that Jim Hill told him that he had $150 and whisky for Whaley on first primary and $300 and whisky on second primary. States that Russell Williams openly gave out money and whisky for Berkeley County, and that Williams told him he would not deny handling it.

Dave Hill, Monks Corner, R. F. D., handled Whaley money and whisky at the Lebanon poll; got it from Russell Williams, who dished out the money and managed Whaley's campaign in Berkeley County. Hill will admit this.

Jim Hill, Huger post office, S. C., openly bought votes at Bates poll; told Brittingham, Wiggins, and Grady that he had $150 and whisky on the first primary and $300 on the second. He went to Wiggins and Brittingham and asked them what they would give him to throw Whaley down. Wiggins left it to Brittingham to make deal, which he did, on condition that goods be delivered. Hill was badly beaten up for his double cross, and went back to Whaley, openly bought votes for $50 each, so say Thomas and William Noble, Cordesville, S. C.; both good witnesses. Hill will not deny anything.

W. B. Hill, Ridgeville, S. C., R. F. D., handled Whaley funds and whisky at Cypress poll; got it from Russell Williams; so states P. H. Mizzell.

E. D. Jaudon, St. Stephens, S. C., handled Whaley's funds and whisky and was paid $125 for his work. Information from C. P. Ballentine, W. H. Lorenze, Dave Riff. I was present when Jaudon stated that he worked for Whaley because he was paid well for it and that he would not deny it.

W. H. Lorenze, St. Stephens, S. C., states that G. Rittenberg handled funds for Whaley at this place, gave big barbecue on day of second primary, gave money and whisky to E. D. Jaudon by Primus Russell, who bought votes and paid them $25 each for their work. Neither of these parties deny it. States J. F. Stokes was paid $25 by Russell Williams on first primary; Stokes does not deny it and promised more information.

Lorenze will testify or make affidavit to many other parties and deals. Will have to see him with Judge Wilder, who is now very sick.

Jessie Murray, Moncks Corner, S. C., R. F. D., handled several hundred dollars for Whaley at Bethea and Macedonia and throughout Hell Hole section. Will not deny it, so say Ira Grady and Brittingham. Got the money and whisky from Russell Williams.

Sam Mitchum, Bethea, S. C., handled Whaley funds and whiskey all through Hell Hole section and at Bethea poll on day of second primary.

Had a mulatto named Waring Scott handling the Brass Ankle set on day of second primary, who openly boasted of his having $100 of Whaley's money to buy votes. He will make good witness, so say Gradt, Wiggins, and Alfred Mitchum.

J. W. Mims handled Whaley funds, $100, and whisky, got it from Russell Williams—Wasmasaw poll.

Thomas Noble, Cordesville, S. C., will testify as to Jim Hill at Bates poll, having $150 on first and $300 on second primary for Whaley.

William Noble, Cordesville, S. C., will testify also as to above.

J. F. Stokes, St. Stephens, S. C., does not deny that he was paid $25 by Russell Williams on first primary; told J. M. Wilder and W. H. Lorenze so, and would not deny it when I talked to him about it. He also states that G. Rittenberg handled the Whaley funds for St. Stephens and that Sam Rittenberg of Charleston carried the whisky and money to G. Rittenberg.

Dave Riff, St. Stephens, says that G. Rittenberg handled the Whaley funds for this place and Russell Williams that Sam Rittenberg, of Charleston, brought it up. They gave a big barbecue on the day of the second primary and paid E. D. Jaudon and Primus Russell $25 each to work. They do not deny this; will testify as to methods used. Was present when I talked to Jaudon and Russell, who did not deny handling Whaley money and whisky and being paid well for their work.

Primus Russell, St. Stephens, S. C., does not deny having handled money and whisky for Whaley. He was paid $25 for his work by G. Rittenberg, took big part in barbecue given for Whaley, could not have cost less than $100, so he states.

X. O. Rudd, R. F. D., Ridgeville, S. C., handled money and whisky at Lebanon poll, and at Hilton Roads, won't deny it, so says P. H. Mizzell.

Frank Riley, magistrate, handled money for Whaley all over county, got it from Russell Williams, statement of P. H. Mizzell, Brittingham, Grady, Ballentine, Lorenze, and others, common talk everywhere.

G. Rittenberg, St. Stephens, S. C., handled Whaley's money, whisky, and barbecue. Paid Jaudon and Russell $25 each for their work. See other statements about this party and Sam Rittenberg, of Charleston, S. C.

L. H. Rivers, St. Stephens, S. C., handled money for Whaley all through that section, so say W. H. Lorenze, C. P. Ballentine, J. F. Stokes. Was very sly with it. He and Williams worked a lot together.

Waring Scott, a negro, handled Whaley money at Bethea poll, with Sam Mitchum openly paid the Brass Ankles for their votes, and boasted of having $100 to do it with besides whisky. (A ten-strike for a witness at Washington, D. C.)

Henry Smyth handled Whaley funds at Wasmasaw poll, openly boasted that Whaley gave him $100. Statement made to C. P. Ballentine.

C. T. Schuler, St. Stephens, S. C., an honest Whaley man who says that Whaley money and whisky was strongly in evidence, but does not want anything done, as he has been promised the P. O. at St. Stephens.

C. M. Whaley, R. F. D., Moncks Corner, S. C., handled several hundred dollars, offered M. N. Thornly anything he would name as his price to support Whaley. He worked over the county generally; plenty of evidence as to his work by everybody.

Sam Wiggins, handled money at Macedonia poll, openly paid from $2 to $5 a vote; worked in conjunction with E. J. Dennis.

Clerk of Court G. W. Williams handled funds for Whaley at Hilton Roads on day of second primary, says P. H. Mizzell, but his son did the big work.

J. Russell Williams, Moncks Corner, S. C., son of G. W. Williams, clerk of court of Berkeley County, campaign manager for Whaley, tells C. M. Wiggins and Brittingham, Grady, and Lorenze that he will tell the whole truth if he is made to testify. He is a nephew of C. M. Wiggins, our friend, who says for relationship to him he does not care to testify. This party is the key to the Berkeley County situation, and will tell it all.

J. M. Wilder, St. Stephens, S. C., he is magistrate up there and while he is sick and unable to do anything just now, he will assist Lorenze and Ballentine with affidavits regarding their evidence, besides giving some very valuable information himself.

Our friend C. M. Wiggins says that he does not want to be pulled into it on account of his nephew, J. Russell Williams, but Williams won't tell anything but the truth, regardless of who it hurts. I promised him (Wiggins) that I would not bring him into it if Williams would testify, so I feel that Berkeley County is O. K.

Clarendon County complete. Don't think it necessary to see Dr. Dick after getting confession from J. H. Timmons. Will put it up to Walter Logan again just as soon as I can see him.

Clarendon County. Louis Appelt, Manning, S. C. Does not wish Whaley's seat contested; thinks it a bad move. Will not be known in it for fear that it may ruin him if everything comes out. Will not impart any information that might assist me in locating those who handled Whaley funds. He is a self-protecting crook of the first water, who would sacrifice the whole people in order to save himself; a shadow dodger whose bowels are clogged so that his brain refuses to work. I told him that he should have been using his paper to encourage the people to bring it all out instead of trying to kill it.

Second trip: Appelt seems to have undergone a change of front since I was here last week. He is very talkative, has given me lots of good information, from which I have found out many things, but does not wish to be quoted. He, like the majority of the people, seems to think that it is best for everything to come out. I hear that he says that he has learned to like me and that I am not such a bad fellow after all. He likes the way I go after them. He will help us, so he says, but I doubt it.

J. B. Brogdon, Hardin, S. C., handled Whaley funds and whisky at the Fork Box, so states B. B. Berry; J. M. Windham, judge of probate; J. H. Timmons, ex-clerk of court; and others.

A. C. Brabham, mayor of Manning, first for Von K, promised me and others to support Hughes in second primary, but he worked harder for Whaley than he did for Von K. Kept hanging off until Whaley came here to see him and his father, D. M. Brabham, who went to Sumter to see Whaley and Dr. Dick. Made the P. O. deal for another son, H. H. Brabham, and they all got out hot for Whaley and used money. Can not get much evidence as to money, but it is common talk as to P. O. promise, and H. H. Brabham has since been appointed, regardless of petition of others who claimed promise also (See Gerald's statement; also Wells.)

Moses Butler, of Sumter, S. C., was at Manning on day of second primary. He had lots of Whaley money and whisky. This is talked by everyone. Seems to have been a gambler from Sumter; claimed to have been sent here by Dr. Dick. This given by Attorney O. C. O'Brien and S. C. Williams.

J. N. Brown, jr., Paxville, S. C., was very active for Whaley, regardless of the fact that his father and brother were for Hughes. One of his brothers accused him openly of having been paid by Walter Logan at Paxville. Henry Curtis, a merchant there, told me of this first, then J. M. Windham, probate judge. I called on Brown; have known

him for several years. He denies having used Whaley money, but does not deny being accused of it by his brother. He also admits having gone to Sumter to see W. Logan, Ben Hardin, Dr. Dick, and R. S. Whaley. Says that L. S. Barwick was there also. They were offered money, but he did not take it. He got it O. K. and used it.

B. B. Berry, Alcolu, S. C., has given me valuable information as to R. F. Du Bose, Wineberg, Perry Timmons, Nettles, Jones, Calvin, White, and others. (See report on each.) He also states that Eddie Gambrel, son of the sheriff, told him that Fleet Du Bose showed him $200 and told him that it was Whaley money and that Jake Wineberg gave it to him. He tried to get Berry to work for Whaley and told him that he could get anything he wanted.

D. M. Bradham, Manning, S. C., father of A. C., the mayor, and H. H., then P. M., led strong fight for Whaley and used money after promising to support Hughes in the second primary. He went to Sumter to meet Whaley and Dick and it was commonly talked that he had made post office deal, and circumstances since prove that he did, as H. H. Bradham was appointed without petition, regardless of the fact that Wells and Gerald had strong petition and each claim that they were led to believe they would get the job. (See Gerald's and Wells's statement.)

L. S. Barwick, Paxville, S. C., handled Whaley funds. Statement by Henry Curtis, J. M. Windham, J. N. Brown, jr., J. H. Timmons, and others. Timmons met him at Sumter and Logan; Dr. Dick and Ben Hardin talked to him in the presence of Timmons and Calvin White; offered him the money to go to work. He went to work and made several trips to Sumter afterwards and used money on first and second primary. (See other statements.)

Dr. Dick, of Sumter, S. C., member of house, ran Whaley's campaign in Clarendon County; had headquarters at Sumter. Distributed money all over Clarendon County from Sumter and sent it to parties who would not come to Sumter, by Walter Logan and Ben Hardin. (See statement of J. H. Timmons, Nettles, Brown, and others.) This is the man that we want to make tell it all. I have been to Sumter twice to see him and have been unable to catch him, but will try again after I get hold of Logan.

Henry Curtis, Paxville, S. C., states that J. N. Brown, jr., and L. S. Barwick were the men who handled the Whaley money at this box. Brown and Barwick went to Sumter to see Dr. Dick. (See statement of Timmons.) Walter Logan afterwards came to Paxville to see them and everything put on steam from then on. Plenty of money and whisky in evidence.

R. F. Du Bose, Manning, S. C., handled Whaley money; offered G. O. Lowder and Alvin Lowder money to support Whaley. Both were Hughes men up to day of second primary. (Statement of J. H. Windham, probate judge.) B. B. Berry seems to be common talk that he handled money, but, as in other cases, it is impossible for me to get affidavits. When I mention that, they balk. He told Eddie Gambrell that he had $200. Got it from Wineberg. Gambrel told Berry and Windham.

J. D. Gerald, Manning, S. C., states that he supported Whaley with the understanding that he would get post office at Manning, S. C., or that he was led to believe that he would, and that on that belief Whaley got the support of him and his family, also the Davis faction throughout the county.

J. E. Davis, Gerald's brother-in-law, at Davis station, the head of the faction, supported Whaley on that account. After the election and the squabble began, Whaley told Gerald that if he could get the indorsement of certain men that he would appoint him. Gerald got them to a man, yet he failed to land the job. Whaley told Gerald that if every man, woman, and child in the county were to indorse F. B. Moffat, another applicant, that he (Whaley) would not appoint him. Gerald also states that C. W. Wells was also led to believe that he was to get the post office if Whaley was elected. (See what Wells has to say; also his brother.)

Gerald and Wells, and all of their friends, want to see Whaley unseated. Gerald states that while he used no money, that he knows that lots of it was used by Logan, Harvin, O. C. Scarborough, J. H. Timmons, W. C. White, and others. Will make good witness if needed. He will tell the truth.

Ben Harvin, ex-secretary to the late George S. Legare, handled Whaley money and distributed it with Walter Logan and Dr. Dick from Sumter. Also brought it into Clarendon County. Everybody knows this, yet I can't get affidavits.

J. H. Timmons, ex-clerk of court, will testify as to his part in the whole thing and connect Harvin and Dick, Logan, White and Barwick, Perry, Scarborough, and others. (See his statement as well as others.) Harvin was very busy on the post-office job muddle, using it with the friends of each applicant. He will tell it all if you get him up in Washington, D. C.

Eddie Gambrell, Manning, S. C., son of the sheriff, stated to B. B. Berry that R. F. Du Bose told him that he had $200 for Whaley and that he got it from Wineberg. I could not see Gambrel, as he is away at present, but this is O. K. (See other statement regarding this Du Bose affair and connect them up.)

W. E. Haley, Wilsons Mill, S. C., states that he knows when Timmons and White first went to Charleston to see Whaley; he was with them. They went from Charleston to Sumter to see Dr. Dick. He did not go to Sumter, but W. Calvin White came back with several hundred dollars for Whaley, so did Timmons, ex-clerk of court.

Timmons and White worked together. (See Timmons's statement, which backs this up; have not been able to see White, but Timmons says that he won't deny it.)

P. H. Hodge, Paxville, S. C., merchant, makes same statement as Henry Curtis as to J. N. Brown, jr., and L. S. Barwick, and Walter Logan, Ben Harvin, and others.

P. H. Hodge, Pinewood, S. C., used $50 of Hughes money, given him by Appelt; says that A. B. Mims handled the Whaley funds at Pinewood. (See statement of Regin as to same. They, Appelt, Windham, and myself, see Windham's statement.)

E. Manley Hodge, of Sumter, S. C., was sent down to Alcolu by Dr. Dick with Whaley money. He used to live at Alcolu, but has been in Sumter for 18 months; yet he was not satisfied with buying votes for Whaley, but acted as one of the managers at Alcolu, in Clarendon County; voted himself, and also brought his father-in-law, old man Reese, from Sumter and made him vote at Alcolu. He openly boasted of having Whaley money and whisky.

L. M. Jones, postmaster at Alcolu, S. C., handled Whaley money; was given it by Dr. Dick, Walter Logan, and Ben Harvin. He denies this, but can be made to tell the truth. He worked it with J. B. Perry. He was very quick to offer me information as to the people who handled Hughes money and said that anybody could get it from either side that wanted it; lots of it in evidence; told B. B. Berry so, too.

J. H. Johnson, Foreston, S. C., states that W. G. P. Sprott, of Foreston, not only handled money on day of election but went all over that section and told people to quit work and turn out and vote; that Whaley had left the money with him to pay them; told J. D. Windham this also.

Walter Logan, Charleston, S. C., handled Whaley fund and distributed with Dr. Dick and Ben Harvin from Whaley's headquarters at Sumter, S. C. He also distributed money all over Clarendon County, and did it openly. (See statement of J. H. Timmons, ex-clerk of court of Clarendon County; J. H. Windham, now probate judge; Henry Curtis, P. H. Hodge, W. E. Haley, J. H. Johnson, and others.) He will squeal if pushed and own it all. I have heard too much of he and Ben Harvin's work to put it down here. Will tackle him and then see.

James Montgomery, Alcolu, R. F. D., states that J. B. Bragdon and Ben Harvin handled Whaley money at the Fork box on day of election; also whisky; openly told B. B. Berry this also.

A. B. Mims, Pinewood, S. C., handled Whaley funds for this place. (See statement of P. B. Hodge, A. P. Ragin, and others.)

J. J. Nettles, Alcolu, S. C., handled Whaley funds through Dr. Dick, Ben Harvin, Walter Logan. This is a good case. (See his statement about Whaley.) States to me that the night before the campaign meeting at Manning that Dr. Dick, Ben Harvin, and Walter Logan, came to him at Alcolu and offered him money to work for Whaley. He told them that he could not do it, but Dick wired to Whaley not to get off at Manning, but to come on to Alcolu. Whaley did so and they saw him again and Whaley told them that he knew it would cost him, Nettles, something to lose his time from his business, but that he was anxious to get him to work and that he would reimburse him for any expenditure that he might go to. He states that he went to work and worked hard, but that he never took the money offered him; yet he says that there was plenty of money and whisky in evidence. I told him that of course I knew a man of his standing could not afford to use the money for Whaley or anyone else. He replied that he did use money a little in his work, but that he never got it from Whaley—it was his own. I told him that he had stated to me that he had refused to work at first, because he could not afford to lose the time from his business; yet he did do it, and refused pay for his time and expenses. His reply was that he never got anything. He says that the conditions there were awful on the second primary and that he feels that something should be done to put a stop to the use of money and whisky. He admits going to Sumter to see Dr. Dick and he will have to tell it all after J. H. Timmons testifies as to having been there with him.

S. Oliver O'Brian, attorney, Manning, S. C., states that Moses Butler, a gambler from Sumter, was here on the day of the second primary with Whaley money; says that Williams's statement will back this up—claimed to have been sent down here by Dr. Dick.

John W. Perry, Alcolu, R. F. D., very active, handled lots of Whaley money over upper part of county. (See statement of Windham, Timmons, Berry, and others.) Get this man in Washington after Timmons testifies and you will get it all.

A. G. Ragin, magistrate, Pinewood, S. C., handled Hughes funds himself and states that A. B. Mims and others handled the Whaley money and whisky at this box. He

also told J. M. Windham and Appelt more than he did me about Walter Logan and Ben Harvin. I will have to see him again.

E. L. Stukes, Davis station, handled Whaley funds and whisky; common talk—yet no one wants to make affidavit. Everything will come easy when Timmons testifies. Logan was the one behind Stukes.

O. C. Scarborough, Summerton, S. C. This old fellow handled the Summerton end of the Whaley campaign, and it is commonly believed that he handled the money, too; but I find no one who will state positively that he did. He was at all times in close touch with Dr. Dick, of Sumter, and made several trips up there. Logan was with him a lot. I had a long talk with him. He denies that he handled any money, but states that it was plentifully used by both Whaley and Hughes forces. He was mixed up with the Manning post-office deal with Bradham. Make him testify anyway; he knows all about everything.

W. G. P. Sprott, Forreston, S. C., handled Whaley funds openly on election day and prior to that day he went throughout that section and told the people to quit work and come out and vote; that Whaley had left money with him to pay them.

J. H. Johnson makes this statement publicly: "He is a most reliable man, so say everybody."

J. H. Windham put me on to this and it is O. K.

J. H. Timmons, ex-clerk of court, Manning, S. C., handled Whaley funds for first primary and up to Monday, the 14th, or day before the second primary. After that I can find no traces of him. Looks to me like he was bought off by Appelt or Alderman. He made several trips to Sumter to see Dr. Dick, together with W. C. White, J. J. Nettles, S. L. Barwick, and others. I feel that he will cave in before the facts which I have.

Saturday night, June 7—I have seen Timmons, and in a long statement he has told it all. (See outline of it.)

J. H. Timmons, ex-clerk of court, has confessed his part in this matter to me; admits everything that I have heard to be true, with the exception of his having gotten the money, but says that he met with Whaley, Dick, Harvin, and Logan several times at Sumter, and told them he would handle the money for them; and he knows that they got it, and that it was used; states that J. J. Nettles, S. L. Barwick, W. Calvin White, John W. Perry, L. M. Jones, R. F. DuBose, Dan Turbenville, Mims, and others got it, for he saw evidence of its use; knows that Logan and Harvin delivered lots of it. They tried to make him handle it, but he refused on the grounds that he could not afford to be the distributor of the money, because he knew that it would ruin him politically, socially, and every way. They then offered him money to pay for his time and expenses. While he was working in the county to get certain people in line to handle the money, he states that he did not even take that, but that he used some of his own money for that purpose. There is no use to go any further. Make him tell it all in Washington, D. C. He knows it all, and he is awfully worried; begged me not to make him testify if I could avoid it. I told him to get Whaley out and stop it. He said it was that awful and that anybody could get the money; and many did get it; and that in his judgment that Whaley used over $6,000 in this county in the second primary. He says that Ben Harvin and Walter Logan handled it in big blocks and chunks, and it came through Dr. Dick, of Sumter, S. C.

Dan Turbeville, Turbeville, S. C., handled Whaley funds at this place; lots of evidence to this effect. He can not afford to deny it.

Jake Wineberg, Manning, S. C. Below is his statement: He denies handling any of the Whaley money, but claims that he spent some of his own in Whaley's behalf. When I asked him about R. F. DuBose and his having stated that he (Wineberg) had given him $200 for Whaley, he replied that he did not give DuBose any of Whaley's money; and if I could prove it, to go ahead. That he would not deny spending his own money, but nobody had anything to do with that. He says that he knows who had the Whaley funds here, and also who had the Hughes fund, but no one could make him tell that if he did not want to. He seemed perfectly cool, and said that the election was rotten to the root, and he hoped that I might secure evidence to unseat Whaley because he felt that he was unfit for the job and that if he had known prior to the election what he does now, he would never have voted for him, much less worked for him; and used his money too. I told that he would find out later whether I had enough evidence to make him tell it or not.

James M. Windham, county probate judge, Manning, S. C., states that J. H. Timmons, ex-clerk of the court, John W. Perry, Walter Logan, Jake Wineberg, Ben Harvin, J. J. Nettles, R. F. DuBose, S. L. Barwick, W. G. P. Sprott, W. Calvin White, and others, handled Whaley fund and told me just how to get the information I wanted. He wants me to see Whaley lose his seat because he bought it. He does not want to be known in it, and I should shield him all that I could.

THE COMMITTEE ON ELECTIONS NO. 1,
Wednesday, October 1, 1913.

The committee this day met, Hon. J. D. Post (chairman) presiding.

TESTIMONY OF MR. HENRY FRANKLIN HOGAN.

The witness was duly sworn by the chairman.

Mr. FREAR. What is your full name?

Mr. HOGAN. Henry Franklin Hogan.

Mr. FREAR. Where do you live?

Mr. HOGAN. No. 20 Cooper Street, Charleston, S. C.

Mr. FREAR. What is your age?

Mr. HOGAN. I am 36 years old.

Mr. FREAR. And your business?

Mr. HOGAN. Right now, at the present?

Mr. FREAR. Yes, sir.

Mr. HOGAN. I am on the police force.

Mr. FREAR. How long have you been there?

Mr. HOGAN. Eleven days.

Mr. FREAR. What were you doing before that—before your employment on the police force?

Mr. HOGAN. I was in the restaurant and saloon business.

Mr. FREAR. How long?

Mr. HOGAN. About a year and something.

Mr. FREAR. In Charleston?

Mr. HOGAN. Yes, sir.

Mr. FREAR. What before that?

Mr. HOGAN. I was stevedoring, if I am not mistaken, and railroading.

Mr. FREAR. Do you know Mr. Whaley, the present Congressman?

Mr. HOGAN. Yes, sir. I have known him for years. I have been all through campaigns and have made speeches at every political meeting.

Mr. FREAR. Did you have any part in the last primary election held in his district?

Mr. HOGAN. Mr. Hughes and Mr. Whaley?

Mr. FREAR. Yes, sir.

Mr. HOGAN. Yes, sir.

Mr. FREAR. What did you do there?

Mr. HOGAN. I handle the financial parts for Mr. Hughes.

Mr. FREAR. And Mr. Hughes was a candidate against Mr. Whaley in both primaries?

Mr. HOGAN. Yes, sir.

Mr. FREAR. How much did you handle?

Mr. HOGAN. $2,800 in both primaries.

Mr. FREAR. Where did you get the money?

Mr. HOGAN. From Mr. Logan and the committee.

Mr. MCCLELLAN. What is his name?

Mr. HOGAN. W. T. Logan.

Mr. GRACE. I accept the responsibility. Do not bring his name in.

The CHAIRMAN. You and Mr. Logan are partners?

Mr. GRACE. Yes, sir; law partners.

Mr. FREAR. There were two primaries?

Mr. HOGAN. Yes, sir; the first and second.

Mr. FREAR. You received money in both primaries for distribution?

Mr. HOGAN. Yes, sir.

Mr. FREAR. Who were the candidates in the first primary?

Mr. HOGAN. Hughes and George von Kolnitz.

Mr. FREAR. How many men were there in the second primary?

Mr. HOGAN. Mr. Hughes and Mr. Whaley.

Mr. FREAR. They were the two highest in the first primary?

Mr. HOGAN. Yes, sir.

Mr. FREAR. You dispensed money for Mr. Hughes?

Mr. HOGAN. I did, sir.
Mr. FREAR. In both primaries?
Mr. HOGAN. Yes, sir.
Mr. FREAR. How much in the first primary?
Mr. HOGAN. $1,200.
Mr. FREAR. Who did you receive that from?
Mr. HOGAN. Mr. Logan and the committee.
Mr. FREAR. And in the second primary how much did you receive?
Mr. HOGAN. $1,600, making $2,800.
Mr. FREAR. What did you do with the money you received in the first primary?
Mr. HOGAN. I spent it.
Mr. FREAR. How did you spend it?
Mr. HOGAN. I spent it by giving it to the fellows to pay them off.
Mr. FREAR. Who did you give the money to, according to your best recollection, in a general way?
Mr. HOGAN. I gave to a fellow by the name of Adams some money.
Mr. FREAR. How much?
Mr. HOGAN. About $100, I think it was.
Mr. FREAR. For what purpose?
Mr. HOGAN. For campaign purposes.
Mr. FREAR. What did you expect him to do with the $100 which you gave him?
Mr. HOGAN. My instructions were to buy refreshments, and if I could not have any influence with a man I would try to hire him on the working committee—if I did not have any influence with him maybe Mr. Adams did.
Mr. FREAR. That was the method you used in the first primary—distributing money to the various people to be used in that way?
Mr. HOGAN. Yes, sir.
Mr. FREAR. Is that true of the second primary?
Mr. HOGAN. Yes, sir.
Mr. FREAR. Have you a list anywhere of the money you gave out to the people in the first and second primaries?
Mr. HOGAN. I have a record of every election I ever handled, but somehow or other I went away to Savannah to see a friend of mine on a little business, and in unpacking one trunk and packing another my children got hold of them and they were mislaid, but I may find them some time.
Mr. FREAR. During the time you were engaged in giving out this money, did you have any knowledge of money that was given out for Mr. Whaley?
Mr. HOGAN. No more than I heard, sir.
Mr. FREAR. Did you see any money given out?
Mr. HOGAN. Yes, sir.
Mr. FREAR. And used by any one?
Mr. HOGAN. Yes, sir.
Mr. FREAR. For Mr. Whaley?
Mr. HOGAN. Yes, sir.
Mr. FREAR. In the first primary?
Mr. HOGAN. Yes, sir. Mr. Whaley stopped me in front of the Commercial Bank and said: "Frank, I hope you are for me this time." I said: "I am sorry to say, but I am a Hughes man." He said: "My God, I thought I could get you to handle my financial parts in the upper ward." I said: "Mr. Whaley, don't you know me better than that? I am not out for money; I am out for principle," which I have always been. He said: "Well, I am going to Congress or I am going broke." I said: "Well, that is for you," and I left him.
Mr. FREAR. Did he offer you any money at that time?
Mr. HOGAN. Not at that time. He said that he wanted me to handle the financial parts up in the upper ward.
Mr. FREAR. Did he offer you any money at a subsequent time?
Mr. HOGAN. Healy did.
Mr. FREAR. How much?
Mr. HOGAN. Fifty dollars.
Mr. FREAR. That is, Healy offered it to you?
Mr. HOGAN. Healy did.
Mr. FREAR. Was Whaley present at that time?
Mr. HOGAN. Yes, sir; and another person by the name of Gleason.
Mr. FREAR. For what purpose?
Mr. HOGAN. Just to lighten up.
Mr. FREAR. What does that mean—"lighten up"?

Mr. HOGAN. When I work politics I do not lose a second in the day. If I am working and have to go off, I put another fellow in my place until I can get back. He did not want me to work so hard against him.

Mr. FREAR. How did Whaley happen to come to you in this way? Have you disbursed money before in campaigns?

Mr. HOGAN. Yes, sir.

Mr. FREAR. Who for?

Mr. HOGAN. T. T. Hyde.

Mr. FREAR. When was that?

Mr. HOGAN. I do not know the year he ran. I guess you all know.

Mr. FREAR. Did he run for Congress.

Mr. HOGAN. No; for mayor, against this man [indicating].

Mr. FREAR. How long have you been engaged in politics?

Mr. HOGAN. I have been in politics 20 years. That is, I cast my first ballot when I was 21. Of course, after I began to get pretty well known in the campaign and people found me out to be honest, square, and truthful they got me to handle their campaign.

Mr. FREAR. And that is the reason Mr. Whaley came to you?

Mr. HOGAN. Yes, sir.

Mr. FREAR. You have worked for Mr. Whaley in other campaigns?

Mr. HOGAN. I have worked with Mr. Whaley, worked along with him, and he and I both worked for someone else.

Mr. FREAR. He knew what you had done in the past?

Mr. HOGAN. Yes, sir.

Mr. FREAR. In respect to distributing funds?

Mr. HOGAN. Yes, sir.

Mr. FREAR. What other occasion did you have in the first primary to discuss matters with Mr. Whaley or anyone connected with him?

Mr. HOGAN. He stopped me.

Mr. FREAR. What other times?

Mr. HOGAN. During the T. T. Hyde campaign.

Mr. FREAR. During the last congressional campaign, is that the only time you met Mr. Whaley to talk over money matters?

Mr. HOGAN. That is about all; the first and second times in front of the Commercial Bank, and he came in my shop.

Mr. FREAR. You met him twice?

Mr. HOGAN. Yes, sir. After I turned him down he came up to my place and offered me $50.

Mr. FREAR. Did you meet him at any other time?

Mr. HOGAN. No, sir.

Mr. FREAR. He paid you $50?

Mr. HOGAN. No; he offered me $50.

Mr. FREAR. You did not take the money?

Mr. HOGAN. No, sir.

Mr. FREAR. What other money do you know about that was paid by Whaley or anyone for him in Charleston during that campaign; either primary?

Mr. HOGAN. Let me explain.

Mr. FREAR. Go ahead.

Mr. HOGAN. I went out to this negro Giles. I deposited at that time in the Enterprise Bank, and I went through Market Street and came up King. I met Mr. Whaley in front of the Commercial Bank.

Mr. FREAR. When was this?

Mr. HOGAN. Just before the first primary. I do not know the exact date. He said: "Frank, I hope you are with me in this campaign." I said: "No; I am a Hughes man." He said: "My God," ——

Mr. FREAR (interposing). You have gone all over that and we do not care to have you go over it again.

Mr. HOGAN. You want to know about the handling of the money in the first primary?

Mr. FREAR. The Whaley money.

Mr. HOGAN. Yes, sir. Mr. Whaley got a fellow, an inexperienced politician, by the name of Harry Friend. I have been going with him for years and years. He and I are personal friends. The night before the election, when they were down to the headquarters to get the campaign fund, Friend told me that he got $300, and showed me the money.

Mr. STEPHENS. I do not think that is of sufficient importance to take up the time.

Mr. HOGAN. I also saw Bob Wickett's money.

The CHAIRMAN. Let us see what he has to say.
Mr. FREAR. Was the man who showed you the $300 working for Mr. Whaley?
Mr. HOGAN. Yes, sir; in the first primary, but he did not in the second. I will explain why.
Mr. FREAR. What kind of a man was he?
Mr. HOGAN. He worked in the boiler shop at the navy yard.
Mr. FREAR. Was he accustomed to handling money in the campaign?
Mr. HOGAN. No, sir; he never handled any money before.
Mr. FREAR. He was inexperienced?
Mr. HOGAN. Yes, sir.
Mr. FREAR. What did he do with the money? What was his method of handling it?
Mr. HOGAN. I do not know, except what he said, that he put the biggest bulk of it in the bank.
Mr. FREAR. In the bank?
Hr. HOGAN. Yes, sir.
Mr. FREAR. For what purpose?
Mr. HOGAN. He did not spend it.
Mr. FREAR. That is, the $300?
Mr. HOGAN. Yes, sir.
Mr. ELDER. Did you see him pay out any money in the primaries?
Mr. HOGAN. I saw him all along there handling money.
Mr. ELDER. Did you see him pay out any money?
Mr. HOGAN. No, sir; nothing.
The CHAIRMAN. You said that he told you that he had $300 of Mr. Whaley's money?
Mr. HOGAN. Yes, sir; and he showed it to me.
The CHAIRMAN. Did you see him around Mr. Whaley's office?
Mr. HOGAN. I went down Broad Street and he went into Whaley's office. He said: "Talk about money; there is no end of money."
The CHAIRMAN. You saw him enter Mr. Whaley's office?
Mr. HOGAN. Yes, sir.
The CHAIRMAN. When was that with reference to the first primary; when was it that he went to Mr. Whaley?
Mr. HOGAN. Before the first primary.
The CHAIRMAN. How long?
Mr. HOGAN. I do not know. I did not expect anything like this to turn up and I did not keep any record.
Mr. MCCLELLAN. What does the man whom you have just referred to do?
Mr. HOGAN. He works in the navy yard.
Mr. MCCLELLAN. How much salary did he draw?
Mr. HOGAN. I guess his salary is about $20 a week; but he had begun to work just before the first primary.
Mr. MCCLELLAN. Was he the sort of a man who would have $300 from some other source and just be saying that as a brag?
Mr. HOGAN. A man of his standard, a boiler maker, he may have had it for all I know; but he told me that he got it from Whaley.
Mr. FREAR. Was he spending it, or was he supposed to be spending it, in some particular ward or precinct?
Mr. HOGAN. In ward 9.
Mr. FREAR. Did he have any talk with you about it?
Mr. HOGAN. He said it was given to him to spend.
Mr. FREAR. In that ward?
Mr. HOGAN. In ward 9.
Mr. FREAR. Who else did you say got money?
Mr. HOGAN. Bob Wickett.
Mr. FREAR. Where does he live and what is his business?
Mr. HOGAN. Ge goes first to one place and then to another.
Mr. FREAR. What does he do?
Mr. HOGAN. Sometimes he is a carpenter, sometimes he works in the phosphate mills, and sometimes he works on the street. I can not explain all the different jobs that he gets.
Mr. FREAR. What did he say to you?
Mr. HOGAN. He showed me $200.
Mr. FREAR. When was this?
Mr. HOGAN. Before the first primary.
Mr. FREAR. What did he say?
Mr. HOGAN. He said: "Mr. Whaley gave me the money to spend in his behalf in ward 9.
Mr. FREAR. In the primary?

Mr. HOGAN. Yes. sir.
Mr. FREAR. Referring to the question of the chairman, was that before the first primary?
Mr. HOGAN. Yes, sir.
Mr. FREAR. Did you ever see him with Mr. Whaley?
Mr. HOGAN. No, sir; I never saw him with Mr. Whaley.
Mr. FREAR. What did he say he did with the money?
Mr. HOGAN. He said that he spent some of it, and after the election I saw him and he said that he bought himself some clothes.
Mr. FREAR. Did you talk with anyone else?
Mr. HOGAN. Harry Friend told me that Barney Carey and Louis Morilla got $2,000 between them.
Mr. FREAR. Who is Harry Friend?
Mr. HOGAN. He is the man who got the $300 and who works at the navy yard.
Mr. FREAR. Did he say that he saw this money paid over to them?
Mr. HOGAN. He said they got it. He did not say whether he saw it or not.
Mr. FREAR. How did he know?
Mr. HOGAN. I do not know whether he saw it or heard it.
Mr. FREAR. He did not tell you?
Mr. HOGAN. No, sir.
Mr. FREAR. Did you see the men spending money in the campaign?
Mr. HOGAN. Yes, sir; they were handling money all day long.
Mr. FREAR. Did you see them with Mr. Whaley?
Mr. HOGAN. No, sir.
Mr. FREAR. Did you ever talk with either of them about handling any money?
Mr. HOGAN. No, sir; no more than——
The CHAIRMAN. What is this man's business?
Mr. HOGAN. Barney Carey is a plumber.
Mr. FREAR. What business is the other man in?
Mr. HOGAN. He is a machinist or a boiler maker—I do not know. If I am not mistaken, he is a machinist.
Mr. FREAR. Where were these men spending the $2,000, or where were they supposed to spend it?
Mr. HOGAN. In ward 9, in behalf of Richard S. Whaley.
Mr. FREAR. Who told you that—where did you learn that?
Mr. HOGAN. From Friend; that is where I got all my information.
Mr. ELDER. What is his name?
Mr. HOGAN. Harry Friend.
Mr. FREAR. How was this money paid? The same way as you have described—by passing it out to men to secure their work?
Mr. HOGAN. Through the working committee that was doing the work.
Mr. FREAR. How large amounts are generally paid out in cases of that kind to individuals?
Mr. HOGAN. To a man who could influence over five or six votes, something like that——
Mr. FREAR (interposing). What is the custom or practice?
Mr. HOGAN. The highest I ever gave to a man, Lloyd Adams, I gave $100.
Mr. FREAR. Did you ever talk with the two men who spent $2,000 as to what they did with the money?
Mr. HOGAN. No, sir.
Mr. FREAR. What else do you know about money?
Mr. HOGAN. In the second primary?
Mr. FREAR. Is there anything further in regard to the first primary?
Mr. HOGAN. No, sir.
Mr. FREAR. In regard to the second primary, then?
Mr. HOGAN. Friend, Wickett, Hogg, Carey, and Morilla all handled Mr. Whaley's money in the first primary. Cox, Mulligan, and Stoll handled the campaign funds for Von Kolnitz. Cox, Stoll, and Mulligan were experienced politicians, just as much as I am.
Mr. FREAR. They handled the money?
Mr. HOGAN. For George von Kolnitz.
Mr. FREAR. Whose money was it?
Mr. HOGAN. I guess that was money to be spent in behalf of Von Kolnitz, that is all.
Mr. FREAR. Was he a candidate?
Mr. HOGAN. Yes, sir. In the next primary Mr. Whaley threw down Hall, Friend, Wickett, Carey, and Morilla and picked up Milligan, Stoll, Mike Blanche, and F. M. Cox, who works at the navy yard. They handled the financial parts in the second

primary, and I got Harry Friend myself for Hughes. Mr. Whaley would not let him handle the money.

Mr. FREAR. How did you know the men in the first primary were handling Mr. Whaley's money?

Mr. HOGAN. Because Harry Friend told me.

Mr. FREAR. Friend told you?

Mr. HOGAN. Yes, sir.

Mr. FREAR. Friend turned on Whaley?

Mr. HOGAN. No; Whaley turned on Friend.

Mr. FREAR. In the second primary Friend was the only one who told you about this?

Mr. HOGAN. Yes, sir. I did not see any of them handle the money.

Mr. FREAR. You employed these men after they left Whaley?

Mr. HOGAN. Yes, sir.

Mr. FREAR. How much did you pay them?

Mr. HOGAN. I do not know. I might be able to say if I could refer to the record.

Mr. FREAR. Approximately?

Mr. HOGAN. I think Wickett got about $10 and Friend $15.

Mr. FREAR. They were small workers?

Mr. HOGAN. Yes, sir; they did not have very much influence.

Mr. FREAR. How much was paid by Whaley in the second primary that you know about?

Mr. HOGAN. I do not know.

Mr. FREAR. Friend did not tell you?

Mr. HOGAN. No, sir; because they got wise in the second primary and nobody will ever find out. I did not say that he got this money from Whaley. I said he got it from Richardson, who handled the money in behalf of Mr. Whaley.

Mr. GRACE. Mr. Richardson was Mr. Whaley's treasurer for the campaign.

Mr. FREAR. Do you know of any other moneys that were spent or any that were handled for Mr. Whaley during either the first or second primary in Charleston?

Mr. HOGAN. No, sir; I do not know. There are the affidavits given to Mr. Grace.

Mr. FREAR. I mean so far as your own knowledge goes?

Mr. HOGAN. I do not know.

Mr. FREAR. Have you anything else you want to tell the committee in regard to the first or second primary?

Mr. HOGAN. No, sir.

Mr. GRACE. Did Harry Friend show you $300 which he said he got from R. C. Richardson?

Mr. HOGAN. He certainly did.

Mr. GRACE. Did you see Wickett's money?

Mr. HOGAN. Yes, sir.

Mr. GRACE. After the first primary, and after these men were thrown down, did you see Judge O'Shaughnessy at the polls at all on election day?

Mr. HOGAN. I saw him around there with a fist full of money.

Mr. GRACE. Were you at the polls all day, both at the first primary and the second primary?

Mr. HOGAN. Yes, sir; I ate my dinner right on the doorstep——

Mr. GRACE. Answer the question yes or no. Were you at the polls?

Mr. HOGAN. I was around the polls all day long, yes, sir; from before the time the polls were opened until the last ballot was counted, and I went to the hall with the box.

Mr. GRACE. Was there any rivalry in getting people to vote for either Hughes or Whaley at the polls?

Mr. HOGAN. Oh, my God, they were polling all over the street.

Mr. GRACE. And when a man came up to vote the first question asked him would be "How much do you want?"

Mr. HOGAN. Yes, sir.

Mr. GRACE. Were there workers at the polls on both sides?

Mr. HOGAN. Yes, sir; there were workers on both sides.

Mr. GRACE. Did you have what you called a rallying committee?

Mr. HOGAN. We had a working committee.

Mr. GRACE. How many were on the working committee?

Mr. HOGAN. Something like 100; something like that.

Mr. GRACE. One hundred men on your rallying committee?

Mr. HOGAN. Yes, sir.

Mr. GRACE. Did those men have to be paid for their day's work?

Mr. HOGAN. Yes, sir.

Mr. GRACE. How many votes were polled in ward 9 at the second primary—do you recollect?

Mr. HOGAN. No, sir; I do not. I know we beat them pretty badly.

Mr. ELDER. You had a rallying committee of 100 in a ward where there were only 500 votes cast?

Mr. HOGAN. I had a working committee of 100, yes.

Mr. FREAR. How many did Whaley have?

Mr. HOGAN. I do not know, sir.

Mr. FREAR. Did he have the same kind of a committee?

Mr. HOGAN. Both sides had a large committee, sir; yes, sir.

The CHAIRMAN. Did every voter in the ward belong to a rallying committee?

Mr. HOGAN. No; not every one, sir.

Mr. ELDER. As a matter of fact, by having a man on a rallying committee was merely a way to pay him for his vote, was it not?

Mr. HOGAN. No, sir; not in my opinion. I told you——

Mr. ELDER. In other words, excluding the business men who would not take money for their votes, or that class of people, did you not put them on a rallying committee and simply pay them some money? Did all of the 200 stay at the polls that day?

Mr. HOGAN. Well, yes, sir; they stayed around and worked mighty hard.

The CHAIRMAN. You say you had 100 on your rallying committee. How much did you pay each one of them?

Mr. HOGAN. Well, different prices, sir.

The CHAIRMAN. Well, what were the different prices that you paid?

Mr. HOGAN. Well, as I told you just now, I gave a man who I thought had influence, Adams, $100, and then some $20 and some $15 and different prices. I came up here to tell the truth.

Mr. FREAR. The amount you paid them depended upon the number of votes you thought they could influence?

Mr. HOGAN. Yes, sir; according to the influence they had.

Mr. ELDER. Only having 500 votes in the ward, there would not be many left to influence, would there?

Mr. HOGAN. Between 500 and 600.

Mr. ELDER. Because you could not influence any of the rallying committee, could you?

Mr. HOGAN. Sir?

Mr. ELDER. I say, you could not influence any of the men on the rallying committee, could you?

Mr. HOGAN. You could not? You come down there and see.

Mr. ELDER. I would presume that a man on the rallying committee could not be influenced.

Mr. HOGAN. You could influence the rallying committee.

Mr. ELDER. I thought the rallying committee was already fixed.

Mr. HOGAN. Well, you could influence a man on a rallying committee; that is, it could be done.

Mr. FREAR. Were all the members of this rallying committee paid?

Mr. HOGAN. They were all paid. If you did not pay them for the day's work, after they lost time—they are all poor men, the working class of men—and if you did not pay them for their day's work, why, they would never come with you any more.

Mr. ELDER. As a matter of fact, is not the having of a rallying committee a short way to pay the men for their votes? Do you mean to say that there were over 200 men out of 600 in the ward who would be influenced by money?

Mr. HOGAN. Sir?

Mr. ELDER. Are there over 200 men in the ward who could be influenced by money?

Mr. HOGAN. Well, there are lots of people, you know, that you can go to work and approach them, and explain your side of the story about your candidate, that your candidate looks stronger than the other one.

Mr. ELDER. That is not my idea.

Mr. HOGAN. I want to answer your questions.

Mr. ELDER. I know you do, and we want to get at the facts. Out of the 500 voters in the ward would you presume that there are over 200 men who could be influenced by money? You do not mean to say that everybody in the ward could be approached, do you?

Mr. HOGAN. Not everybody in the ward. There are lots of men who vote on principle, and here is one sitting in front of you.

Mr. ELDER. $2,800 worth?

Mr. HOGAN. Yes, sir; that is, spending, you understand, for refreshments and different things during the campaign. You know you go around and talk politics

and you go in a saloon and somebody comes in there and starts to talk to you, and they will ask you to have something and then you have to return it. And that is a mighty cheap way, too.

Mr. McCLELLAN. How many men did Mr. Whaley have on his rallying committee?

Mr. HOGAN. I told you I did not know.

Mr. McCLELLAN. How many would you think?

Mr. HOGAN. I could not say.

Mr. McCLELLAN. What is your judgment about it?

Mr. HOGAN. Well, I would not like to give a close estimate on that.

Mr. McCLELLAN. Do you think he had 100?

Mr. HOGAN. Well, I do not know whether he had 100 or not; he may have had that many or less, but he had a good crowd out there.

The CHAIRMAN. Who carried that ward?

Mr. HOGAN. I have carried it every time since I have been in politics outside of when the mayor ran.

The CHAIRMAN. How many did Hughes carry it by in the last primary?

Mr. HOGAN. Something like sixty something, if I am not mistaken.

Mr. ELDER. Did the mayor have a big rallying committee?

Mr. HOGAN. He may have had; I do not know; I do not know anything about his business, sir; but I know I had a big one.

Mr. McCLELLAN. How many people in that ward do not take money?

Mr. HOGAN. Well, there are lots of them.

Mr. McCLELLAN. You ought to be able to tell that, because you are acquainted with the voters in that ward, are you not?

Mr. HOGAN. Pretty well.

Mr. McCLELLAN. You are well acquainted with them, are you not?

Mr. HOGAN. Yes, sir.

Mr. McCLELLAN. How many do you estimate sell their votes in that ward in the way that you have described; that is, as workers or by being bought outright?

Mr. HOGAN. Well, you just mean a rough estimate of it?

Mr. McCLELLAN. Yes; give us a rough estimate.

Mr. HOGAN. In the neighborhood of one hundred and something who vote on principle.

Mr. McCLELLAN. Is that all?

Mr. HOGAN. Something like that.

Mr. McCLELLAN. You had 100 on your list as your workers?

Mr. HOGAN. Yes, sir.

Mr. McCLELLAN. You do not class them as sellers?

Mr. HOGAN. We sent them to different parts of the town.

Mr. McCLELLAN. You do not class your rallynig committee as sellers, do you?

Mr. HOGAN. No, sir.

Mr. McCLELLAN. Give me a rough estimate of how many Mr. Whaley had on his rallying committee.

Mr. HOGAN. At the house they paid off in, Mr. Stahl's house on Aiken Street, sir, I saw a crowd of about 60 or 70, to my best knowledge and best belief.

Mr. ELDER. Was that for ward 9?

Mr. HOGAN. Yes, sir; and some of them came out grumbling because they did not get any more than $10; that is, came out of Stahl's house.

Mr. GRACE. Did you see anybody there that you knew?

Mr. HOGAN. I saw my brother-in-law come out and I saw a Mr. Fash, a fireman on the Charleston Terminal Railroad, that goes down the water front in Charleston, come out of there with a $10 bill in his hand. Of course, I do not care to repeat what he said.

Mr. GRACE. Repeat his remarks.

Mr. McCLELLAN. You have not told me how many men in the ward do not sell their votes.

Mr. HOGAN. I told you about 100.

Mr. McCLELLAN. Independent of any organization?

Mr. HOGAN. I told you as near as I can get at it, something in the neighborhood of 100. That is my best judgment.

Mr. ELDER. What about your brother?

Mr. HOGAN. My brother-in-law. I saw him come out of Stahl's house with a $10 bill in his hand.

Mr. ELDER. What did he say?

Mr. HOGAN. He said, "The son-of-a-bitches promise you one thing and give you another; here is only a damn lousy $10, which is all I got."

Mr. ELDER. You did not expect him to stand with you?

Mr. HOGAN. No, sir; he don't work my way at all because he is always opposite from me, sir.
Mr. ELDER. He was with Whaley?
Mr. HOGAN. He was with Whaley.
Mr. ELDER. You saw him come out of Whaley's headquarters, you say, where they were paid?
Mr. HOGAN. Where they were paid on Aiken Street, at Milton Stahl's.
Mr. ELDER. How do you know it was Whaley who was putting up the money? What do you know about that?
Mr. HOGAN. Did I not tell you that Harry Friend told me that Mr. Richardson gave it to him in his behalf?
Mr. STEPHENS. Were any of these transactions out in the open?
Mr. HOGAN. No; in the house. They would go and buy them in the house; take a little place like that and call it Tammany Hall.
Mr. STEPHENS. That house was near the voting place, was it?
Mr. HOGAN. Yes, sir.
Mr. STEPHENS. And it was a matter of common knowledge that they were taking men into that room?
Mr. HOGAN. Oh, yes, sir.
Mr. STEPHENS. You say there were about 100 men who voted on principle. Wasn't the matter of such common knowledge that those men, the better class of citizens, could have known what was going on?
Mr. HOGAN. I guess they did, sir.
Mr. STEPHENS. You saw some of the better class of citizens around there, did you not?
Mr. HOGAN. Yes, sir.
Mr. STEPHENS. At the same time they were taking men into this near-by room?
Mr. HOGAN. Yes, sir.
Mr. FREAR. Did you have a house yourself in which you would take men and pay them off?
Mr. HOGAN. No; we paid off our workers when we got through the work.
Mr. FREAR. Did you have a house into which you took them and paid them off?
Mr. HOGAN. They were paid off at my house, 20 Cooper Street, about two days after that.
Mr. FREAR. About how far is that from the polling place?
Mr. HOGAN. That is about four blocks.
Mr. FREAR. Did this working committee of Mr. Whaley's go into this house?
Mr. HOGAN. Into the Stahl House, sir, on Aiken Street?
Mr. FREAR. Yes.
Mr. HOGAN. Yes, sir; on the Saturday after the second primary.
Mr. FREAR. What day was the election?
Mr. HOGAN. I do not know.
Mr. GRACE. Tuesday.
Mr. FREAR. They paid them off on Saturday?
Mr. HOGAN. Yes, sir; because Whaley was out of town and they wanted $500 more to finish up.
Mr. ELDER. How many did you pay off?
Mr. HOGAN. I paid off my 100, all I had to pay.
The CHAIRMAN. How much money did you pay out?
Mr. HOGAN. I told you $2,800 in both primaries, sir; $1,200 in the first and $1,600 in the next.
Mr. ELDER. Did you have approximately the same number of men in both primaries on the rallying committee?
Mr. HOGAN. Well, you know it is something like playing checkers; you make a jump and they make a jump; they might take one of my men and I might take one of their men.
Mr. ELDER. I mean did you have approximately the same men in both primaries?
Mr. HOGAN. One would switch around; one of their fellows would come to my side and one of my men might jump to them.
Mr. ELDER. But you had about 100 in both primaries?
Mr. HOGAN. Well, something like that, sir.
Mr. ELDER. What proportion would you say Whaley had; that is, on the other side?
Mr. HOGAN. Well, I told you I saw about 70 in front of Stahl's door on Saturday night getting paid off.
Mr. ELDER. That was after the first primary?
Mr. HOGAN. No; after the second primary.

Mr. ELDER. Did he have that number at the first primary?

Mr. HOGAN. Not at Stahl's house, because they did not handle the money, you understand. Carey, Hogg, Wickett, Morilla, and Friend handled the money on the day of the first primary, but how many they paid off I do not know.

Mr. FREAR. What is Mr. Whaley's business? What does he do when he is at home?

Mr. HOGAN. Is he not a lawyer, sir?

Mr. GRACE. He is a lawyer.

Mr. FREAR. Is he a man supposed to be wealthy?

Mr. HOGAN. I heard he had all kinds of coin, sir; I do not know and I could not swear to it.

The CHAIRMAN. Now, Mr. Grace, you were to tell us something about the $5,000?

Mr. GRACE. Yes. For the information of the committee, and so it can understand the prime importance of it, I will say that in the first primary there were practically three political factions in Charleston; the faction represented by the sheriff of Charleston was supporting von Kolnitz and my faction supported Hughes. Now, Mr. Whaley in the city of Charleston polled a very small vote in the first primary, that is, his own vote was very small, comparatively speaking. All the votes that von Kolnitz got he got practically through the influence of the sheriff, because he had very little personal strength. Now, after the first primary von Kolnitz was eliminated and the men who handled the money in the first primary for von Kolnitz, through the sheriff, were experienced politicians in ward 9, and I had the other experienced politicians on my side, and the only men who acted in the first primary and were experienced were untrustworthy so far as accounting for money was concerned, but this man, as far as accounting for money is concerned, is absolutely trustworthy.

Mr. ELDER. You mean Mr. Hogan?

Mr. GRACE. Yes, sir; and Mr. Whaley has always trusted him, but in this campaign there was a reason why he was with me and not with Whaley, for the first time in his life.

Mr. ELDER. What were his reasons?

Mr. GRACE. When I made my campaign for mayor he bitterly fought me, very bitterly, and he will tell you that there was an awful fight in ward 9; a bitter fight. If you could see the papers at that time you would see that he was on Whaley's side in that campaign, but when I was elected mayor I was in a position to drive him to the wall, absolutely, because he was in a business which would have enabled me, if I had shown the disposition to do so, to absolutely drive him to the wall.

Mr. ELDER. That is, the liquor business?

Mr. GRACE. Yes, sir, to be perfectly frank with you, the liquor business, but I treated, so far as the administration of the law was concerned—and I think everybody will agree with me in Charleston—everybody absolutely alike. I could have driven him to the wall, as I stated, but I gave everybody an absolutely square deal.

Mr. FREAR. What do you mean by driving him to the wall?

Mr. GRACE. I mean to say that if I had cared to exercise the vigilance of the police force against him—he was in a business that, according to the strict interpretation of the law, he should not have been in.

Mr. FREAR. In what way?

Mr. GRACE. In the liquor business.

Mr. FREAR. In what way?

Mr. GRACE. Well, it was a blind tiger.

Mr. FREAR. He was running a blind tiger?

Mr. GRACE. Yes, sir.

Mr. FREAR. How many blind tigers are run in Charleston?

Mr. GRACE. Probably 250. But in doing what I did I only followed custom. Mr. Whaley's brother-in-law preceded me as mayor, and Mr. Whaley's brother-in-law established this custom under which these men were in business. When I came in office that was the custom, namely, of every three months fining them $50, which was practically licensing them to sell. They do not have the right to exist at all, and I could have fined him $50 a month, or every time he sold a drink I could have fined him $50, and in that way driven him to the wall. This man realized that I had done something for him, and for the first time in his life he came to me and said, "Who are you going to support in this congressional election?" I said, "Hughes," and he shook hands with me and said, "I am with you," and it was after that that Whaley went to him and he told Whaley that he was with me.

Mr. FREAR. Now, what about the $5,000?

Mr. GRACE. Now, here is the question I wanted to ask him, because I will have other witnesses to prove who handled the $5,000: After the first primary and in the second primary did you hear anything about Judge O'Shaughnessy handling any money for Mr. Whaley?

Mr. HOGAN. I heard it circulated around the ward that he was going to handle $5,000, but I did not see it, although I saw him with money on election day; but I could not state the amount.

Mr. FREAR. Who is he?

Mr. GRACE. He is a local magistrate. We call him Judge O'Shaughnessy.

Mr. FREAR. What is his position?

Mr. GRACE. He is an examining magistrate. He has no trial jurisdiction, but is simply a magistrate before whom cases are preliminarily brought, and if he decides that a prima facie case has been made then it goes to the grand jury. Now, what do you know, either from hearsay or otherwise, about the fact that O'Shaughnessy was treasurer in the second primary for——

Mr. HOGAN. He was the man in Stahl's house paying off.

Mr. GRACE. That is, for Whaley. Did you see him?

Mr. HOGAN. I saw him go there, yes; but that is all I know about it.

Mr. FREAR. Have you some other witnesses?

Mr. GRACE. Yes.

The CHAIRMAN. Then you may stand aside, Mr. Hogan, but before doing so let me ask these questions; you are well acquainted with Friend, Wickett, Carey, Hogg, Cox, Morilla, and O'Shaughnessy?

Mr. HOGAN. Yes.

The CHAIRMAN. If they were put on the witness stand and sworn, would they testify to the truth or would they deny it?

Mr. HOGAN. Now, I could not say that.

The CHAIRMAN. What is your judgment? You are personally acquainted with them—would they tell the truth or would they deny it?

Mr. HOGAN. I guess they may tell the truth, sir.

The CHAIRMAN. This man Friend; what is your judgment in reference to him? If put under oath, would he tell the truth?

Mr. HOGAN. I have found him pretty truthful all through life, but I do not know what he would say if he were put on the stand.

The CHAIRMAN. What is Friend's business?

Mr. HOGAN. He works at the navy yard, in the boiler shop.

The CHAIRMAN. What about Mr. Wickett? If he were put under oath, what would he say? Would he testify to the truth or would he deny this? What is your judgment?

Mr. HOGAN. The mayor has got statements here to corroborate the statement that Wickett went and offered $40 to a storekeeper for his vote and spent $30 in the place.

The CHAIRMAN. I am asking you your judgment as to what he would testify on the stand. Would he tell whether he received any money and what he did with it?

Mr. HOGAN. That would be hard to say about him, sir.

Mr. GRACE. I will say this, that I sent for O'Shaugnessy several months ago, or as soon as I heard positively about the man who spent the money in ward 9. In fact, O'Shaugnessy supported me when I ran for mayor and, as is stated in this affidavit, he handled money for me in ward 9 when I ran for mayor. But after I was elected mayor the first question that came before me was the appointment of the police officers. One of the officers was a man named Whaley, related to this man Whaley, and he was a very efficient officer; for good reasons which I had at the time, I retained Whaley. Whaley at one time had arrested O'Shaugnessy, and O'Shaugnessy was very bitter, terribly bitter—he is a very bitter man, anyhow, because I had retained Whaley on the police force, and the reason he supported Whaley this time was because I had retained the other Whaley on the police force. Then, after the election, a man came to me and said, "O'Shaugnessy is rather repentant about some things he said about you, and I understand he is ready to make up with you." At that time, for several reasons, I was glad to make up with O'Shaugnessy, because I wanted to see what he would say about this money. So I arranged an interview with him at my office, and I told him I could not understand why he had been so severe on me during the campaign, and then we went through some mutual explanations, and finally I said: "Judge, what I wanted you to come up here for is this: You know you handled the money for Whaley in the second primary"—I did not know at that time it was $5,000, I did not know the amount, but I had heard that they would send the men into O'Shaugnessy and he would scratch the ticket, that the men would come out and and vote for Whaley, and then go back in there and come out with the money, and everything conclusively pointed to the fact that he was the man, and so I said, "Judge, you handled the money in the second primary." I said, "Now, you know very well there is going to be an investigation." He said, "Well, I do not believe in investigations." I said, "Ordinarily I do not either, but I tell you this thing has gotten to the point where somebody has got to tell what they know, that is all there is to it, or else it will be impossible to have any elections hereafter." He said, "Yes; and I suppose

you expect me to tell what I know." I said, "Well, that is what I want to know, will you tell what you know?" He said, "I am not a squealer"; and I said, "No, I do not approach you in that light." I said, "Here is what I want to know: If I subpœna you and put you under oath and tell you what I know about this thing from direct testimony"—I did not have the testimony I have got now—but I said, "Will you admit it?" "Well," he says, "I am not under oath now, am I?" I said, "No." He said, "I deny it." I said, "Will you admit it if you are put under oath?" He said, "When you put me under oath I will tell you whether I will admit it or not." I said, "Will you perjure yourself?" He said, "Well, I never have perjured myself."

The CHAIRMAN. Well, we must hear your witnesses.

Mr. GRACE. I am answering your question.

Mr. FREAR. Will you come to the $5,000? Did he say anything about the $5,000 in that discussion between you?

Mr. GRACE. No, sir; that was not mentioned, but the chairman has asked if these witnesses would tell under oath the truth about these matters, and I was relating this to show whether he would tell the story under oath. I do believe that if they were subpœnaed they would tell the truth, especially if you would let me cross-examine them. From the evidence I have they would not dare tell anything but the truth under oath, because they would not want to commit perjury.

The CHAIRMAN. You have some other witnesses here?

Mr. GRACE. Yes.

The CHAIRMAN. Then you may stand aside, Mr. Hogan.

Mr. FREAR. Have you ever been arrested, Mr. Hogan?

Mr. HOGAN. I have been in trouble once in a while when I have been drinking; that is all.

Mr. FREAR. Have you served time?

Mr. HOGAN. I served five days one time.

Mr. FREAR. What for?

Mr. HOGAN. Well, sir, it was over a police officer, and he was drinking, and he went to work to exercise his authority on me without a cause, and he did it in a very rough manner; he hit me with the butt of his pistol; I took the pistol away from him——

Mr. FREAR. And that is why you were arrested?

Mr. HOGAN. Yes, sir; that is all.

Mr. FREAR. Have you ever served time for anything else?

Mr. HOGAN. No, sir; never.

Mr. FREAR. And that is all?

Mr. HOGAN. That is all.

Mr. GRACE. This is the $5,000 item, and here is the affidavit in regard to it, which I will read.

The CHAIRMAN. We do not want to take the time to read it.

TESTIMONY OF MR. M. J. BARRY.

The witness was duly sworn by the Chairman.

The CHAIRMAN. What is your name?

Mr. BARRY. M. J. Barry.

The CHAIRMAN. Where do you live?

Mr. BARRY. 72 Grace Street, Charleston, S. C.

The CHAIRMAN. How long have you lived there?

Mr. BARRY. Do you mean on Grace Street?

The CHAIRMAN. No; in Charleston.

Mr. BARRY. About 38 years.

The CHAIRMAN. What is your business.

Mr. BARRY. At present I am connected with the city department.

The CHAIRMAN. In what capacity?

Mr. BARRY. As foreman on the streets.

The CHAIRMAN. How long have you occupied that position?

Mr. BARRY. Since Mr. Grace has been elected I have worked every summer at it.

The CHAIRMAN. What do you do in winter?

Mr. BARRY. In winter I sometimes get a job at watching or anything that a crippled man can do. I am a one-legged man.

The CHAIRMAN. Have you ever been engaged in any business other than what you have mentioned?

Mr. BARRY. Do you mean recently?

The CHAIRMAN. Yes.

Mr. BARRY. No, sir; I railroaded until I was crippled.

The CHAIRMAN. Did you run a saloon?

Mr. BARRY. I run a first-class café in Charleston, at 131 East Bay Street.
The CHAIRMAN. How long have you been running that saloon?
Mr. BARRY. I ran that shortly after I was crippled and received some compensation from the railroad—I guess a year or 18 months.
The CHAIRMAN. Did you dispense intoxicating liquors in connection with you café?
Mr. BARRY. Yes, sir; I did, and all cafés do in that part of the country.
The CHAIRMAN. You were also running a blind tiger?
Mr. BARRY. Yes, sir.
The CHAIRMAN. And you were fined occasionally for it?
Mr. BARRY. Yes, sir; every three months.
The CHAIRMAN. Were you ever arrested for anything else?
Mr. BARRY. No, sir; I have never been tried before the recorder.
The CHAIRMAN. Were you ever arrested for anything except running a blind tiger?
Mr. BARRY. I think on one occasion I got out and spread the joy and fell asleep and I was carried from a doorstep for safe keeping. The next morning I was turned loose.
The CHAIRMAN. Were you ever arrested for fighting or anything of that kind?
Mr. BARRY. No, sir.
The CHAIRMAN. You have never served time?
Mr. BARRY. No, sir.
The CHAIRMAN. Tell us what you know of your own knowledge with reference to Mr. Whaley in either one of the primaries held down there, using money illegitimately.
Mr. BARRY. Do you want me to start at the beginning of this recent campaign?
The CHAIRMAN. Yes.
Mr. BARRY. In the early part of the campaign——
The CHAIRMAN (interposing). Which campaign?
Mr. BARRY. The congressional campaign.
The CHAIRMAN. Do you mean the first primary?
Mr. BARRY. The first primary. In the early part of the campaign I met Mr. Von Kolnitz, a candidate. I met him one day and he asked me if I would support him. I did not know at that time that Mr. Hughes would be a candidate and I promised him that I would support him. Later on in the campaign he was up town one night and got to talking to me, and he mentioned something about Berkeley County. I have a brother up there and he asked me if I would go up and get my brother interested in his campaign. I told him I would provided he furnished my railroad expenses. He furnished me a little money to go and told me to come down to his office after I returned and let him know what progress I had made. I went down to his office and he says: "I would like to get you, Mike, to look out in ward 9 for me." I was pretty well known up there and he says: "You know that under the law I can not pay a man for working in politics for me," but he said, "If you will look around and see that everything is straight and find out how many people in there will vote for me, I will pay you a salary just the same as if you were working for me."
The CHAIRMAN. I understand that this is Mr. Von Kolnitz you are referring to?
Mr. BARRY. I am coming down the line.
The CHAIRMAN. I want you to come down to Mr. Whaley.
Mr. BARRY. I am coming to him later on. I did not know anything about Mr. Whaley in the first campaign.
The CHAIRMAN. We are not investigating Mr. Von Kolnitz.
Mr. BARRY. He said, "All of these candidates will spend lots of money."
Mr. FREAR. And he was a candidate himself?
Mr. BARRY. Yes, sir.
The CHAIRMAN. Do you know anything else of your own knowledge about Mr. Whaley, the present Congressman from that district, using money in either one of the primaries?
Mr. BARRY. Yes, sir.
The CHAIRMAN. Well, let us have that.
Mr. BARRY. I might tell you this——
The CHAIRMAN. Well, let us have that.
Mr. BARRY. I was standing at Mr. Fash's place some time after the first primary. It was about 10 days after, and Louis Morilla went into the store and bought a package of tobacco. He came back on the corner and I got to joking him. I said, "Louis, Whaley is going to let Judge J. J. O'Shaugnessy handle his money in the second campaign. He will not trust any of you fellows that handled it in the first campaign." So Louis said to me, "Mike, I did not want to handle that money; I do not know anything about it, but Carey insisted on my handling $500." He said, "I paid a man $100 to vote for Mr. Whaley, and he came in with a carriage and rode around town and

then did not vote for Whaley." So, we had a little more pleasant talk there joking and teasing each other, and he was very sore about it on account of O'Shaugnessy getting the second campaign money.

The CHAIRMAN. You say that Morilla told you that Carey insisted on him handling $500 of Mr. Whaley's money?

Mr. BARRY. Yes, sir.

The CHAIRMAN. And you also interjected in your statement the remark that he had said to you that he had paid one man $100 to vote for Mr. Whaley?

Mr. BARRY. Yes, sir.

The CHAIRMAN. That was in the same conversation?

Mr. BARRY. Yes, sir.

The CHAIRMAN. What else did he say to you about paying this man $100 to vote for Whaley?

Mr. BARRY. He said this man promised to stay around and work for Mr. Whaley, and that he had handed him $100 expecting nothing more than his vote.

The CHAIRMAN. Who did he tell you the man was that he paid the $100 to?

Mr. BARRY. I do not know that I want to tell that.

Mr. GRACE. Give his name.

Mr. BARRY. Walter Friend.

Mr. ELDER. The mayor directed this witness to tell the name of the man, and I want to suggest that that is not a matter for them to decide.

Mr. BARRY. You must understand that this man is a man of bad character, and I do not want to get into any trouble with him. That is why I did not mention his name.

The CHAIRMAN. Did you ever talk to Walter Friend about it?

Mr. BARRY. Afterwards; no, sir.

The CHAIRMAN. You never talked to him at all about it?

Mr. BARRY. No, sir; I would not approach him on a matter like that.

The CHAIRMAN. You also interjected in your remarks the statement that Mr. Morilla said that he handled $500 in the campaign. Now, you have accounted for $100 of that amount. What did he say he did with the balance of it?

Mr. BARRY. He bought votes around the polls.

The CHAIRMAN. Did he tell you that?

Mr. BARRY. No, sir; he did not tell me that, but he said he handled $500 and that he did not know anything about handling money. He said that Carey insisted on his handling $500.

The CHAIRMAN. How long have you known Mr. Morilla?

Mr. BARRY. I have known him ever since he has been a boy.

The CHAIRMAN. What business is he engaged in?

Mr. BARRY. At present I think he is some sort of a machinist in some works there.

The CHAIRMAN. What sort of a citizen is he?

Mr. BARRY. Well, he is a very quiet sort of fellow. He is a married man with a family.

The CHAIRMAN. Is he an honest man? Is he regarded as an honest man in the community?

Mr. BARRY. Outside of politics, I guess he is.

The CHAIRMAN. Is he a truthful man?

Mr. BARRY. That I can not answer.

The CHAIRMAN. In your judgment, if he were put on the stand, would he tell us here what he told you?

Mr. BARRY. I believe you could force him to do it.

The CHAIRMAN. We might get him to the trough, but we might not be able to make him drink. This man Walter Friend—what sort of a citizen is he?

Mr. BARRY. Walter Friend has always been a boisterous sort of fellow.

The CHAIRMAN. What is his business?

Mr. BARRY. I do not know what he is doing now. I understand he is in Augusta, Ga.

The CHAIRMAN. In your opinion, if he were put on the witness stand and questioned in regard to whether he received this $100, would he tell the truth about it?

Mr. BARRY. I believe he would.

The CHAIRMAN. Do you know of anybody else who handled Mr. Whaley's money?

Mr. BARRY. Besides these two?

The CHAIRMAN. Do you know of any others who handled it?

Mr. BARRY. Yes, sir' in the second primary I was down at this same store—I make it a habit to sit around this shop. I live around there in that neighborhood, and am pretty much around there when I am not working. One night we were at Fash's

store, or standing there at the door, and we saw O'Shaughnessy coming down the street.

Mr. STEPHENS. I want to say in reference to this matter that, as I recall it, there is an affidavit here from this man, already written out, and I suggest that it would save time——

Mr. GRACE (interposing). I understood that I was to bring them up.

Mr. FREAR. Affidavits are easily prepared.

Mr. ELDER. We have his affidavit, and I suppose we might cross-examine him on points that we might want to bring out in reference to the testimony in the affidavits.

Mr. FREAR. I think one or two questions would help in this matter: You stated you were in Fash's store when this Mr. O'Shaughnessy came in there——

Mr. BARRY (interposing). Yes, sir.

Mr. FREAR. And you overheard him make some statement?

Mr. BARRY. Yes, sir.

Mr. FREAR. What did you say at that time?

Mr. BARRY. I was behind the screen, and he made some uncomplimentary remark in regard to me. He usually called me one-legged Barry or peg-legged Barry. Sometimes he would say one and sometimes the other. I said something to him, and he said, "You are not going to get anything to do under this administration. I know Grace." He said, "What is one-eyed Dunlap doing?" He said, "I saw him and Morilla hanging around on Broad Street. I guess he is looking for something to do or is going to get something to do." He said it one of these two ways, but whether he said he was looking for it or was going to get it, I do not know. Fash said he could get it if he wanted it. Then he wanted to know how about Sergeant, as best I can remember now. That has been a long time ago.

Mr. FREAR. Tell us what he said about spending money.

Mr. BARRY. He went on down the line about, and Fash asked him about the $5,000 in the ward, and he said everybody should be satisfied, and he went on to say that he handled as much for Grace in the first campaign in the ward——

Mr. FREAR (interposing). Who said that?

Mr. BARRY. O'Shaugnessy. Then he came on down the line and said that he had $5,000. I am coming down to where I overheard O'Shaugnessy say that he had $5,000.

Mr. FREAR. Well, what did he say about that?

Mr. BARRY. He said he had $5,000.

Mr. FREAR. How did O'Shaugnessy say it?

Mr. BARRY. Well, Fash was talking to him all the time, and Fash said—he was talking about these people who claimed——

Mr. FREAR (interposing). What did O'Shaugnessy say about the $5,000?

Mr. BARRY. Fash said, "You have $5,000 and everybody ought to be paid."

Mr. FREAR. What did Mr. O'Shaugnessy have to say in answer to that?

Mr. BARRY. O'Shaugnessy said he handled money in the ward for Grace.

Mr. FREAR. Did he say how much?

Mr. BARRY. No, sir; he did not mention the amount. He said, "I handled as much in the ward for Grace." Now, when they came down lower in their conversation, O'Shaugnessy acknowledged that he——

Mr. FREAR (interposing). Tell us what he said.

Mr. BARRY. He said that he had $5,000 and that he did not have enough to settle up with.

Mr. FREAR. From whom did he say he got the $5,000?

Mr. BARRY. From Mr. Whaley. He said that he had to send back for $500 more to settle the ward. Whaley was out of town.

Mr. FREAR. Well, tell us what he said.

Mr. BARRY. Yes, sir; and he did not get it until the following Saturday. That was the Saturday after the second primary. I know that he got the money on Saturday. That same night I was in Fash's store. Fash was over there, and I said, "What about it? O'Shaugnessy is paying off in Stoll's." So, later on, I saw quite a crowd gathered at Addison's, on the corner right above us, one block away. I said to Fash, "Phillip, I am going over and borrow a dollar from O'Shaugnessy." O'Shaugnessy was in Addison's bar room and there was quite a crowd there of his lieutenants. I walked in and said, "Joe, how about lending me a dollar?" So he pulled out a big roll of bills—a roll of about that size [indicating].

Mr. FREAR. How large a roll? Four or five inches thick?

Mr. BARRY. Yes, sir; that is about the size [indicating]. He pulled me out a one dollar bill, and as he handed me the one dollar bill, two of his lieutenants looked over to see what I was getting. I lingered there a minute. He stood off below the bar and some of his lieutenants came back there and got more money to pay to somebody, but I could not catch their names. They walked out in front.

Mr. FREAR. Who paid out this money?
Mr. BARRY. O'Shaugnessy.
Mr. FREAR. Of how large denominations were the bills he had?
Mr. BARRY. He handed me a $1 bill.
Mr. FREAR. Well, what about the rest of the bills?
Mr. BARRY. When he opened out the roll, he took off a $1 bill.
Mr. FREAR. Could you see what the other bills were?
Mr. BARRY. No, sir; because when he opened it out he handed me a $1 bill from the inside of the roll.
The CHAIRMAN. How long was that after the primary?
Mr. BARRY. That was Saturday after the second primary.
The CHAIRMAN. On what day of the week was the primary held?
Mr. BARRY. The primary is always held on Tuesday.
Mr. ELDER. This was after the second primary?
Mr. BARRY. Yes, sir; after the second primary.
Mr. FREAR. Is Mr. Fash a business man?
Mr. BARRY. Yes, sir.
Mr. FREAR. A reliable business man?
Mr. BARRY. Yes, sir.
Mr. FREAR. Referring back to the chairman's line of questioning, what is your judgment as to whether Mr. Fash would tell the truth if put under oath?
Mr. BARRY. He would tell the truth.
Mr. FREAR. He would tell the truth as to this conversation he had with O'Shaugnessy?
Mr. BARRY. Yes, sir; he would.
Mr. GRACE. I am expecting him on the next train.
The CHAIRMAN. Well, tell us of any other transaction relative to the improper use of money down there in either one of the primaries.
Mr. BARRY. There is a lot of stuff I can tell you, because I am pretty well known in ward 9. I have lived there for 34 years, and I know every legal voter in ward 9.
Mr. FREAR. That does not answer the chairman's question.
Mr. BARRY. A shopkeeper in ward 9——
The CHAIRMAN (interposing). What is his name?
Mr. BARRY. William Brandt. He told me after the second primary that O'Shaugnessy came to him and tried to get him to take $10 for supporting Whaley, and Brandt told him he did not want any money for supporting Whaley, and that he might give it to some others who were in need of it.
Mr. FREAR. I want to go back a little and ask a question in regard to the statement you made awhile ago: When you got that money from O'Shaugnessy, how many people were present receiving money?
Mr. BARRY. Do you mean at Addison's?
Mr. FREAR. Yes.
Mr. BARRY. To my knowledge, if there was a man in that place there were from 20 to 30 there.
Mr. FREAR. What kind of a place is that?
Mr. BARRY. Addison's place is a grocery store, and in the rear there is a blind tiger. That is the case with most grocery stores——
Mr. FREAR. Did you see any others paid off there?
Mr. BARRY. I saw O'Shaugnessy and two of his lieutenants with money, and they were to pay somebody.
Mr. FREAR. Did they pay them there?
Mr. BARRY. They walked out in front.
Mr. FREAR. Did you see anybody else paid off or being paid there?
Mr. BARRY. No, sir.
Mr. FREAR. What did he do with the roll of bills afterwards?
Mr. BARRY. He put it back in his pocket.
Mr. FREAR. Do you know that those men who were there were paid by him—those 20 or 30 men?
Mr. BARRY. They were all his lieutenants.
Mr. FREAR. How do you know that?
Mr. BARRY. I know everybody on Whaley's side.
Mr. FREAR. What did you see about the polls?
Mr. BARRY. That morning—the polls had just shortly been opened—I was there with my book checking——
Mr. FREAR (interposing). For whom?
Mr. BARRY. For Hughes. The men would go in to vote, and there was quite an argument there. You understand that the Whaley faction sent off and got O'Shaugnessy, and O'Shaugnessy came up and he said he was not the manager nor an execu-

tive committeeman and had no right to settle any arguments. Then these other fellows got boisterous and were talking very loud. Then O'Shaugnessy said, winking at me—he winked at me and said, "We don't mind the noise; I have got the 'mazuma' here to carry it."

Mr. FREAR. What did he have?

Mr. BARRY. He had a package in his hand.

Mr. FREAR. Do you know what was in the package?

Mr. BARRY. He brought it from his house.

Mr. FREAR. You do not know what was in it?

Mr. BARRY. No, sir.

Mr. GRACE. The significance of that is the fact that when they brought him there he did not leave the package. He brought it with him, and it was a valuable package——

Mr. FREAR (interposing). Did you at any time see what was in the package?

Mr. BARRY. No, sir.

Mr. FREAR. Did you see him pay any money at any time?

Mr. BARRY. No, sir; he did not stay, but turned around and walked off.

Mr. FREAR. Did you see money used at any time there?

Mr. BARRY. Do you mean around the polls?

Mr. FREAR. Yes.

Mr. BARRY. Pretty much everybody was handling money.

Mr. FREAR. Were any of those men you saw in Addison's place handling money around the polls that day?

Mr. BARRY. Not those. Those who were handling money around the polls there that day were not in Addison's place that night.

Mr. FREAR. Did you see anyone handling money for Mr. Whaley?

Mr. BARRY. I saw Johnnie Cameron give some money to a man.

Mr. FREAR. While you were at the polls?

Mr. BARRY. Yes, sir.

Mr. FREAR. Do you know how much it was?

Mr. BARRY. It was more than one bill.

Mr. FREAR. Who was Cameron?

Mr. BARRY. A railroad man.

Mr. FREAR. Was he working for Whaley?

Mr. BARRY. Yes, sir.

Mr. FREAR. How do you know that?

Mr. BARRY. He was going around the polls. Both factions, you know, know the others.

Mr. GRACE. I want to give you a photograph of the polls, if I can. The polling places are simply little shops. The election may be held in a little meat shop, for instance, and in front of the polls they have two or three little fragile pieces of timber or railing. It is right out on the open street. Now, the polls are conducted by four managers, and we are claiming that we can prove that Whaley paid the managers in ward 9 $25 apiece. Now, these managers sit there and conduct the polls. You will be able to understand how we carried ward 9 in the face of all this when I tell you that if it were not for Whaley's money he could not have gotten many votes in that ward. In other words, we could spend $5 in that ward and get better results from it than Whaley could from $25. Now, when these polls were opened in the morning, this rallying committee of 100 was there to vote. The chances are that the rallying committee will vote first, and then they are paid; but there are always a certain number of refractory men on the rallying committees, and sometimes in the early part of the primary, while that was going on, they brought in another fellow to vote. Some man walked up and challenged his right to vote, and immediately a policeman had to come in there——

Mr. FREAR (interposing). Do they have challengers there?

Mr. GRACE. Yes, sir; each side has its challengers. The managers have the power to call in policemen, and while the other man and the challenger are at the station house, they vote what they please. When I ran for mayor, I realized that this was one of the ways that would be used to beat me. I had been in this game for years and was a comparatively poor man—that is, compared with those who opposed me—and I realized that this would be one of the ways used to beat me. Therefore, I introduced a resolution in the convention—a convention dominated by Mr. Whaley—asking for the Australian ballot and asking that proper safeguards be provided to insure the privacy of the voter, but they crushed it out in the convention. They did not want that sort of an election.

The CHAIRMAN. You said that you saw a man paid some money——

Mr. BARRY (interposing). I saw Cameron give money to this man.

The CHAIRMAN. Did he vote?
Mr. BARRY. Yes, sir; he did vote.
The CHAIRMAN. How are the ballots arranged?
Mr. BARRY. The ballots are on a slip of paper with the name of each candidate, and you scratch the ones you do not vote for.
The CHAIRMAN. The names of the candidates are on the ballots?
Mr. BARRY. Yes, sir.
The CHAIRMAN. And the voter has to mark the name of the candidate he votes for?
Mr. BARRY. He scratches out the names of those he is opposed to. The one that he is opposed to is scratched out. There were only two candidates in the second primary, and we had all of our ballots with Whaley's name scratched out, and Whaley had ballots with Hughes's name scratched off. We handed them to the men. If we were scared of them, we watched to see that they did not switch them.
The CHAIRMAN. How do you do that?
Mr. BARRY. We have a man close to the polls to watch them; he watches that hand with the ticket in it, and if he puts that hand in his pocket——
Mr. FREAR (interposing). Then the clerks do not give him any ticket.
Mr. BARRY. No, sir.
Mr. GRACE. The ballot is just this size [indicating] and all you have to do is to scratch out the name you do not vote for.
The CHAIRMAN. What time of day were the polls opened?
Mr. BARRY. At 8 o'clock.
The CHAIRMAN. How long were they kept open?
Mr. BARRY. Until 6 o'clock.
The CHAIRMAN. The polls were open from 8 in the morning until 6 in the afternoon?
Mr. BARRY. Yes, sir.
The CHAIRMAN. Do you know anything else, other than what you have stated here, in reference to Mr. Whaley using money in his campaign?
Mr. BARRY. Yes, sir. In the first primary, I met Bennie Carey one night as I was on my way home. He said he had just had a bottle of beer——
Mr. FREAR. Does this refer to money used in the primary?
Mr. BARRY. There was no money at all. He talked to me, and asked me to go to Whaley's office with him, and I told him no; that I had already promised Von Kolnitz.
The CHAIRMAN. What did he say about money in Whaley's office, if anything?
Mr. BARRY. His suggestion was to go down to see Mr. Whaley, and he would pay me for going.
Mr. FREAR. What did he say?
Mr. BARRY. He told me to go on down and see Mr. Whaley. He was trying to get me to vote for Whaley, and naturally I would not go to Whaley's office except to see about money.
Mr. FREAR. That was your conclusion, was it not?
Mr. BARRY. That is what he wanted. He wanted me to come on down to Whaley's office and see him, and he was going to introduce me to Whaley and tell him what I could do in ward 9.
The CHAIRMAN. Are there any other instances you know of besides those you have mentioned?
Mr. BARRY. I have seen sums of money around the polls all day.
Mr. ELDER. Did you see any voters get money?
Mr. BARRY. No, sir; I did not see it, but I know it was done.
Mr. ELDER. How do you know?
Mr. BARRY. We have runners. We have boys on the lookout. We have young fellows to follow these people and tell us what is going on. They see what is going on.
Mr. GRACE. We have affidavits to that effect.
Mr. MCCLELLAN. I understand that some were paid two or three days afterwards.
Mr. GRACE. The rallying committee was paid afterwards.
Mr. BERRY. There were a lot of people on the rallying committee.
The CHAIRMAN. Is there anything else you care to relate?
Mr. BARRY. Nothing more than this conversation I had with Judge O'Shaugnessy.
Mr. GRACE. You have related that.
Mr. FREAR. Are these ballots brought to the polls by the voters themselves and distributed by them?
Mr. GRACE. The executive committee of the Democratic party controls that, but those on the inside can get them two or three days in advance, while the man on the outside has to wait until the ballots are provided at the polling places. Under the law, the ballots are put at the polling places in the morning, and there is a stamp on them that nobody knows anything about except those on the inside. Those who are controlling the machinery know, but we do not. On the morning of the election they

bring around five or six hundred ballots, or if it is a big election, five or six thousand ballots to cover the different candidates. The ballots are put there at the polls, and nobody can get them except at the polls. They can just take the tickets out on the outside and fold them up that way.

Mr. ELDER. It is no wonder you have such conditions when you have such election laws down there.

Mr. FREAR. The package that Mr. Fash testifies to in his affidavit, supposedly of $5,000, is that the package that you saw there in the back of Addison's, or was that some other package?

Mr. BARRY. The package Mr. Addison saw?

Mr. FREAR. I mean the package you saw when the $1 bills were being distributed?

Mr. BARRY. I did not see a package; I saw a roll.

Mr. FREAR. A roll of money; is that the same roll that was mentioned by Mr. Fash in his affidavit?

Mr. BARRY. I do not know.

Mr. FREAR. Fash in his affidavit says, "I saw the Judge go around to Mr. Carey's house with a $5,000 package, as it was supposed to be, of $1 and $2 bills." Did you see that package?

Mr. BARRY. Yes, sir.

Mr. FREAR. That is the one you speak of, rolled up?

Mr. BARRY. Yes, sir.

The CHAIRMAN. They supposed that that package contained money. Do you know of anyone who ever saw that package or what was in that package?

Mr. BARRY. Yes, sir.

Mr. GRACE. We have affidavits here showing that.

Mr. BARRY. I want to tell you one more thing. I know that Judge J. O. O'Shaughnessy never has in his life interested himself unless he got the "mazuma."

Mr. FREAR. What is "mazuma"?

Mr. BARRY. He means money; that is a favorite saying of his.

TESTIMONY OF MR. STEPHEN D. SARGENT.

The witness was duly sworn by the chairman.

The CHAIRMAN. What is your name?

Mr. SARGENT. Stephen D. Sargent.

The CHAIRMAN. Where do you live?

Mr. SARGENT. 51 B Street, Charleston.

The CHAIRMAN. How long have you lived there?

Mr. SARGENT. Thirteen years.

The CHAIRMAN. What business are you in?

Mr. SARGENT. I am a boiler inspector for the Atlantic Coast Line.

The CHAIRMAN. How long have you been engaged in that business?

Mr. SARGENT. Seven years for the Atlantic Coast Line. Previous to that I was with the Southern.

The CHAIRMAN. Have you been engaged in any other business during the last seven years?

Mr. SARGENT. No.

The CHAIRMAN. You have a statement to make, and you can go ahead and make that statement in your own way.

Mr. GRACE. Did you make an affidavit?

Mr. SARGENT. No, sir.

The CHAIRMAN. Proceed, Mr. Sargent.

Mr. SARGENT. J. A. Reeves said to me that he had received $15 from Louis Morilla for his vote. The day of the election I was working in behalf of Mr. Hughes, and while I was in a room across the street they called me out and said that Mr. Friend was across the street buying a man and that if I did not get across quickly he would beat me to it. I went across the street, and I talked to him.

Mr. FREAR. Did they offer him money?

Mr. SARGENT. Yes, sir.

Mr. FREAR. Did you see it?

Mr. SARGENT. No, sir; they came and told me about it.

Mr. ELDER. In whose interest were you at work?

Mr. SARGENT. Mr. Hughes.

The CHAIRMAN. Were you using money that day?

Mr. SARGENT. Yes, sir.

The CHAIRMAN. How much did you expend that day?

Mr. SARGENT. In the second primary I have reference to I spent about $1,000, I presume. That is the nearest calculation.

Mr. FREAR. In the same ward?
Mr. SARGENT. Yes, sir.
Mr. FREAR. The ninth ward?
Mr. SARGENT. Yes, sir. I was in precinct 2.
Mr. ELDER. Is there just one precinct?
Mr. SARGENT. No, sir; there are two precincts.
Mr. FREAR. Did you handle money?
Mr. SARGENT. Yes, sir.
The CHAIRMAN. How much did you pay Mr. Reeves for his vote?
Mr. SARGENT. I did not buy Mr. Reeves's vote. They beat me to it. They paid him $15.
The CHAIRMAN. He told you that they paid him $15?
Mr. SARGENT. Yes, sir. I offered him $10. There was nothing doing. He wanted $5 more and I would not give it.
Mr. FREAR. The $1,000 which you spent in addition to the $2,800 that Mr. Hogan mentioned would be $3,800?
Mr. SARGENT. No, sir.
Mr. ELDER. How much did you spend in the first primary?
Mr. SARGENT. $800.
Mr. ELDER. That is, $4,600 for Hughes in ward 9.
Mr. FREAR. In your judgment, did Whaley spend more money than Hughes?
Mr. SARGENT. Positively, otherwise he could not have gotten the votes he got.
Mr. ELDER. What was the result in your ward?
Mr. SARGENT. We beat them by about 68; that is, the two clubs combined, Club 1 and Club 2.
Mr. FREAR. The two precincts?
Mr. SARGENT. Yes, sir. On the combined vote of the two clubs we had 68 majority over the whole.
The CHAIRMAN. In the first primary?
Mr. SARGENT. The second primary.
The CHAIRMAN. What did you get for your services?
Mr. SARGENT. Nothing. He took this gold pin [exhibiting] out of his tie and gave it to me.
The CHAIRMAN. You were just purchasing votes and not charging anything for your services?
Mr. SARGENT. That is it.
The CHAIRMAN. Have you not a law against the use of money in primary elections?
Mr. SARGENT. I think they have, sir. It has not been enforced.
The CHAIRMAN. Nobody has discovered the law?
Mr. SARGENT. No, sir; not the way they buy votes.
Mr. FREAR. What was the precinct you were in?
Mr. SARGENT. Ward 9, club 2.
Mr. FREAR. Club 2 it is called; is that a legal title?
Mr. SARGENT. Yes, sir; club 1 and club 2. It is changed to precinct when we get to the general election.
Mr. FREAR. It is the same subdivision of the ward?
Mr. SARGENT. It is the same ward. If a ward has over so many voters, we divide it.
Mr. FREAR. That is under the law?
Mr. SARGENT. Yes, sir. If a ward is not large enough to have two clubs they have only one.
Mr. FREAR. Did you see any money actually turned over to the Whaley people in that ward?
Mr. SARGENT. Not that day.
Mr. FREAR. Did you at any time?
Mr. SARGENT. Only in the last primary.
Mr. FREAR. That is the point; did anybody identify it as Whaley money?
Mr. SARGENT. No, sir; when we form what we term as our rallying committees we pick what we think are the best people we can get hold of, and we put them on a list, and then we propose to pay them so much.
Mr. FREAR. How much apiece?
Mr. SARGENT. That ranges according to their ability. Some people are worth more than others.
Mr. FREAR. But how much would be the maximum?
Mr. SARGENT. We generally pay some people $30 for work around the polls. Others just come there and vote; possibly I can get them for $10, and if I can get them for $1, I would pay them $1.
Mr. FREAR. How many did you have in your committee of the club?

Mr. SARGENT. I had in the rallying committee about 75.
Mr. FREAR. How many did Whaley have?
Mr. SARGENT. I guess he had about the same. I guess he had some on his rallying committee that I had on mine, because they "double-headed."
Mr. FREAR. You were at the polls all day?
Mr. SARGENT. Yes, sir.
Mr. FREAR. Did you spend money there?
Mr. SARGENT. Yes, sir.
Mr. STEPHENS. How many votes in your club?
Mr. SARGENT. As well as I can remember, close in the neighborhood of 300.
Mr. FREAR. And over half of that number were in one club or the other?
Mr. SARGENT. Yes, sir.
Mr. STEPHENS. Were you larger than Whaley?
Mr. SARGENT. We had practically very near the same. Mr. Hogan said that there were five or six hundred in the ward.
Mr. GRACE. I said so.
Mr. STEPHENS. You mean by that, including both these clubs?
Mr. SARGENT. Yes, sir; practically the same, right across the street.
Mr. GRACE. They have two clubs, to check against one another.
Mr. STEPHENS. Mr. Sargent said that he had 75 on his rallying committee?
Mr. SARGENT. Yes, sir.
Mr. STEPHENS. And Mr. Hogan said about 100 on his?
Mr. SARGENT. Yes, sir.
Mr. STEPHENS. That made about 175 on the rallying committee of Hughes in that club?
Mr. SARGENT. Yes, sir. When you put the 175 down, if you could get the roll of your opponent over there you would find that he has some of the same on his roll.
Mr. FREAR. They will not stay bought?
Mr. SARGENT. They will not stay bought. They will go over on the promise of $5 for their day's work. The night before the election, or possibly the morning of the election, they will come and say, if you offer them $10, "nothing doing," "they have offered me $20, I can get $20 over there," and if he is any kind of a good worker, and if you can use him, if you do not give him the $20, the other fellow will.
Mr. FREAR. Do they all hang around the polls?
Mr. SARGENT. All day long.
Mr. ELDER. The majority of the voters are around the polls?
Mr. SARGENT. This class that is looking for money.
The CHAIRMAN. What percentage of the voters are looking for money?
Mr. SARGENT. My experience in this last election has beat anything I ever saw in my life; everybody was looking for it.
Mr. ELDER. Would the business men take it?
Mr. SARGENT. There are a few whom you must omit. I almost trembled in my shoes when a man came around to me.
Mr. GRACE. It was advertised that anybody could get it.
Mr. SARGENT. There were men that I would not have thought of.
Mr. GRACE. The newspapers took that all up.
Mr. SARGENT. A boarding-house man, a very particular friend of mine, who lives at 71 Bay Street, came to me the morning of the election and called me to one side and said, "I promised to work for you, and I want to work for you, but I can get more money." I knew that it was a boarding house, and the votes that he could get out of the boarding house. He said, "I think it is worth $50. The other fellows have offered me $60, but I would rather work with you for $50 than with them for $60." I said, "Did they offer it to you?" and he said, "Yes." I said, "Go and get it." I thought then that he would get it. He started off and I called him back and told him to bring them in—his brother-in-law and all—bring them all right there, and he went and brought them there, and they all voted.
Mr. FREAR. Did he turn the money over to those people who voted?
Mr. SARGENT. That was his compensation; his part of the deal.
Mr. FREAR. Did those people get money, too?
Mr. SARGENT. Yes, sir; he got $50 for his influence—for bringing them to me.
Mr. FREAR. What did they get?
Mr. SARGENT. I gave the old man $15.
Mr. FREAR. And the others?
Mr. SARGENT. Some $10. I never got off with a man for less than $10.
Mr. FREAR. If you spent over $4,000 in that ward, that would be about $10 apiece for the votes?
Mr. SARGENT. More than that. We had to pay some $15.

Mr. FREAR. On an average, and if Whaley spent as much money, that would be $20?

Mr. SARGENT. I am positive from my knowledge of the gang that Whaley had following him about and the men he had in the field that he could not get away with less than three times as much money. They did not have the ability that we had.

Mr. FREAR. What is your judgment of the amount that Whaley spent?

Mr. SARGENT. From the money I have previously spent in that ward and my experience there I would not hesitate to say that Whaley did not spend one cent less than $8,000 in the second primary.

Mr. FREAR. In that ward?

Mr. SARGENT. In that ward.

Mr. FREAR. And you folks spent between $4,000 and $5,000?

Mr. SARGENT. Yes, sir.

Mr. FREAR. That would be about $13,000?

Mr. SARGENT. Yes, sir.

Mr. FREAR. In that one ward?

Mr. SARGENT. Yes, sir.

Mr. FREAR. That was in one primary?

Mr. SARGENT. Yes, sir.

Mr. FREAR. How much was spent in the first primary by all parties?

Mr. SARGENT. In the first primary I presume he did not spend as much money. We did not give him a chance to spend it.

Mr. FREAR. How much would you say that von Kolnitz spent—about $1,000?

Mr. SARGENT. I handled about $1,100.

Mr. ELDER. That was in one ward in the city?

Mr. SARGENT. Yes, sir.

Mr. ELDER. How many wards are there in the city?

Mr. SARGENT. Twelve.

Mr. ELDER. And how many votes does the city cast?

Mr. SARGENT. I could not give you that information.

Mr. GRACE. Six thousand.

Mr. ELDER. In your congressional district how many counties have they?

Mr. GRACE. Five.

Mr. ELDER. Do the other five counties cast the other 6,000 votes?

Mr. GRACE. Yes, sir.

Mr. ELDER. In your ward there are 500 or 600 votes, which would be about 10 per cent of the total vote of the city, and there was spent by both sides in the second primary something over $12,000 or $13,000?

Mr. SARGENT. Yes, sir; easily.

Mr. FREAR. There was an equal amount spent in the first primary?

Mr. SARGENT. There was less money spent in the first primary, on account of so many candidates.

Mr. GRACE. That is the worst ward. That is not a criterion. There are some wards where they do not spend anything like that amount.

Mr. ELDER. Is that the working class?

Mr. GRACE. The working class is the class that you do not have to pay. That is a ward where the people do not work.

Mr. ELDER. Are they floaters?

Mr. GRACE. No, sir; they are loafers. You can not take ward 9—I am saying this with all due respect to ward 9—as a criterion for the city.

Mr. FREAR. What do you know about the comparative use of money outside in the other five counties?

Mr. SARGENT. That is work that I know of from reputable men, through hearsay, that at every crossroads they have men at those places and pay them $10 or $15.

Mr. FREAR. How many precincts are there in the district?

Mr. SARGENT. One hundred and seventy-six.

The CHAIRMAN. Do you know of any other instance where Mr. Whaley used money?

Mr. SARGENT. W. A. Thompson told me that he received $20 for his vote.

Mr. FREAR. Who from?

Mr. THOMPSON. Either from O'Shaugnessy or Morilla.

Mr. ELDER. Do the negroes vote there?

Mr. SARGENT. No, sir.

The CHAIRMAN. He made an affidavit?

Mr. GRACE. Yes, sir. Without any reflection on the white citizens in the town I live in, I do not believe that you could corrupt the negroes any worse than the white people were corrupted in the last election.

Mr. FREAR. That is a pretty severe reflection.

Mr. GRACE. I can not help it. That is the truth.
Mr. STEPHENS. You helped to corrupt them?
Mr. GRACE. No, sir; I followed the game.
Mr. STEPHENS. Did you not testify to that the other day?
Mr. GRACE. I am not hypocritical; I said that I followed the game.
Mr. ELDER. And you put up money?
Mr. GRACE. Not a cent in this campaign, but in my campaign I did, and when I had to file a sworn statement of what I spent I filed a sworn statement.
Mr. ELDER. How much did it show?
Mr. GRACE. Eight thousand and some odd dollars.
The CHAIRMAN. What is the salary of the office?
Mr. GRACE. $3,500. It is costing me right now $2,000 or $3,000 a year to be mayor.
Mr. FREAR. Do you have liquors there at the polling places?
Mr. SARGENT. No, sir.
Mr. ELDER. Are the saloons in the town open?
Mr. GRACE. Yes, sir.

TESTIMONY OF MR. H. LEON LARISEY.

The witness was duly sworn by the chairman.
Mr. STEPHENS. Mr. Larisey, do you know James E. Peurifoy?
Mr. LARISEY. Yes, sir; I know him.
Mr. STEPHENS. He is an attorney?
Mr. LARISEY. Yes, sir.
Mr. STEPHENS. There was a question asked you the other day, Mr. Larisey, about a suit between the Exchange Banking & Trust Co. and H. F. Towles. The basis of that suit was a note and deed of trust which you had assigned to this bank, and the defense was that the note was a forgery. Was Mr. Peurifoy an attorney in that case?
Mr. LARISEY. Yes, sir; he was my attorney and also the bank's.
Mr. STEPHENS. I have a telegram from him to this effect:
"In suit Exchange Banking & Trust Company *v.* H. F. Towles, H. L. Larisey assigned note and mortgage, $950, to plaintiff. The defense of Towles was that mortgage was not executed by him; it was a forgery by Larisey. Jury returned verdict for Towles."
I understood you the other day to say that the verdict was in your favor?
Mr. LARISEY. No, sir.
Mr. FREAR. There was a settlement between the two.
Mr. STEPHENS. Did you not make a statement of that character?
Mr. LARISEY. No, sir.
Mr. STEPHENS. Did you not state, Mr. Larisey, that it developed on the trial of the case that a prior mortgage was in existence?
Mr. LARISEY. Yes, sir.
Mr. STEPHENS. And that the holder of the prior mortgage retained the property on which he had a lien?
Mr. LARISEY. Yes, sir.
Mr. STEPHENS. And that you were given a verdict for and retained the property that was not covered by the prior mortgage?
Mr. LARISEY. I said this, that my mortgage covered articles that were not in this first mortgage at all, and those I held were not in dispute. The suit was between Silcox, who held a prior mortgage given by D. A. Towles & Co. on certain property that Towles had given a mortgage on. In that trial Towles's defense was that my mortgage was a forgery. There were three witnesses to that mortgage. Two of the witnesses were subpœnaed, appeared, and testified that they witnessed the mortgage. The other one presented an affidavit or an affidavit was presented that he did not.
Mr. STEPHENS. Who was that?
Mr. LARISEY. Mr. J. C. Bessellieu, and by order of the court he was arrested and brought into court and testified that he did witness the execution of the mortgage. The court records are the best evidence of that.
Mr. STEPHENS. Who got judgment in this case? Was not the plain question submitted to the jury as to whether or not Towles's mortgage was a forgery?
Mr. LARISEY. No, sir; it was not a trial of that kind at all; the trial was to see whether or not the Silcox mortgage——
Mr. STEPHENS. But that is not the point.
Mr. LARISEY. Let me tell it to you.
Mr. STEPHENS. Let me ask the questions. You were there interested in this suit were you not?
Mr. LARISEY. I was.

Mr. STEPHENS. You heard the trial of the case?
Mr. LARISEY. I did.
Mr. STEPHENS. Did you hear the charge of the court?
Mr. LARISEY. I did.
Mr. STEPHENS. And do you not know that the jury was charged by the court on this specific point and question, as to whether or not the mortgage given you by Towles was not a forgery?
Mr. LARISEY. No, sir; I do not.
Mr. FREAR. Did you say that two of the witnesses to that mortgage testified that they saw the maker of the mortgage sign it?
Mr. LARISEY. Yes, sir.
Mr. FREAR. They so testified in court?
Mr. LARISEY. Yes, sir.
Mr. STEPHENS. I have a transcript of that trial here. Was not this included in the charge of the court: "Now, those are for your guidance"—referring to certain records, and so on—"you can take them into your room; whenever you write your verdict, however, you will write it on the paper marked 'complaint.' In addition to that you will take this slip of paper and answer this question: 'Did H. F. Towles execute the Larisey mortgage?' You will answer that by writing yes or no. That is for the guidance of the court." Now, the conclusion of the charge is, "You will answer that question, of course, 'Did H. F. Towles execute the Larisey mortgage?' Take the record."
Now, was not that question specifically submitted?
Mr. LARISEY. I was not present at that charge.
Mr. ELDER. It looks to me as though that is a collateral matter, and do you not think the charge of the judge is the best evidence?
Mr. STEPHENS. This is the charge.
Mr. ELDER. I say, do you not think that would be the best evidence instead of his recollection?
Mr. STEPHENS. I think I have a right to examine him as to what actually transpired there.
The CHAIRMAN. It goes to his recollection if he was present and heard the charge, but he said he was not there and did not hear it.
Mr. LARISEY. I did not hear that charge, sir.
Mr. STEPHENS. I am going to be perfectly frank about this matter. It strikes me this way: That we have had testimony presented here, and that it is very largely hearsay testimony; Mr. Larisey made a very full statement here the other day and all that he knew was absolutely hearsay, and I think that if we have anything that goes to the credibility of a man who comes on and makes this charge, that it is all right to introduce it and to inquire of him about it. We are not offering any testimony here in rebuttal of what he said, but we are simply interrogating him on the proposition.
Mr. ELDER. It has always been my understanding that you could not contradict a witness by a collateral matter.
Mr. STEPHENS. There is no evidence to contradict at all.
Mr. ELDER. But your question is a contradiction as I would understand it.
(After informal discussion the chairman said:)
The CHAIRMAN. I think the question is collateral and was disposed of when the witness answered the question that was propounded to him by saying that he was not there and did not hear the judge's charge. It seems to me that ends the controversy.
Mr. STEPHENS. It seems there were two different transactions.
Mr. LARISEY. Oh, no, sir.
Mr. STEPHENS. The record shows that there were two separate transactions. Besselieu says this: That while his name appears on this mortgage, that he had absolutely no recollection of any transaction at all, except in regard to another matter, and not in regard to the matter that is covered by the mortgage.
Mr. LARISEY. You have his testimony there?
Mr. STEPHENS. Yes.
The CHAIRMAN. If I understand you, you claim that you were completely exonerated in this case?
Mr. LARISEY. Absolutely; if I had not been, with the enemies those people were, I would have been in the penitentiary; that is, if I had been guilty.
The CHAIRMAN. Well, of course, the court records will show whether or not you are right or not.
Mr. LARISEY. Yes, sir. My word and character would be a great deal higher if this investigation were made. That is all I have to say about it.

Mr. GRACE. Since then, Mr. Larisey ran, against my protest, against George Legare—who was one of the most popular men in the district—and he carried the county for Congress. That has been since that case was tried, and that is the best test of what is thought of him.

Mr. STEPHENS. I will not pursue the matter any further, but I was curious to know about this transaction. Mr. Larisey, it appears from this record that you gave a mortgage on property to which you had no title. I just want to ask whether or not you gave any testimony of that character.

Mr. LARISEY. Gave what?

Mr. STEPHENS. That you gave a mortgage on property that you had no title to.

Mr. LARISEY. I never gave a mortgage at all, sir; I transferred this mortgage. It was given to me at the Exchange Banking & Trust Co., not for me, but——

Mr. STEPHENS (reading from transcript). "Is it not a fact that you gave a mortgage on this property to Middleton & Co.?" But beginning back a little further, "You never had any title to these mules or this property?"

"A. They were in my possession.

"Q. I say, did you ever have any title to them?—A. No, sir. I never had any title to them.

"Q. You never had any title to any of this property that is in dispute here?—A. No, sir.

"Q. Is it not a fact that you gave a mortgage on this property to Middleton & Co.?—A. Some of it.

"Q. What part of it did you mortgage to C. F. Middleton & Co.?—A. Two mules."

Mr. LARISEY. I desire to answer that.

Mr. ELDER. Just wait a moment and the committee will see that you get your rights. It seems to me that would be purely a question of law in South Carolina; the law in South Carolina may give him the right to make such a mortgage.

Mr. STEPHENS. That would be a peculiar law.

Mr. ELDER. There might be some law that would give him the right, if the property were turned over to him, to place a mortgage on it, though he might not have legal title to it. We might go into endless things like that, and that is the idea that suggests itself to me in examining this witness along that line.

Mr. LARISEY. In addition to that, Towles and myself went into business together, and I purchased a half interest in all of this stuff for $750, and we had a business contract and I have a bill of sale for a half interest in this stuff. Then the next year, when he got into some trouble and needed some money, then is when I took the mortgage over; I had my interest all right, and bought and paid for it, you understand, for $750, and then I owned a half interest in this stuff, and with the mortgage that was past due on his interest of it I had the right to mortgage that stuff to Middleton & Co.

Mr. GRACE. Besides that, Towles had jumped out and left the country, left the property in his possession. Towles had left the country because he was a married man and had seduced a little girl.

The CHAIRMAN. Well, I think we will eliminate the whole business. Have you anything further you wish to say?

Mr. LARISEY. I have not. I have made a lengthy affidavit, which is here, and I have nothing further to say.

(The committee thereupon proceeded to the consideration of executive business, after which it adjourned.)

20762—13——4

INVESTIGATION INTO THE ELECTION OF RICHARD S. WHALEY, AS MEMBER OF CONGRESS FROM THE FIRST CONGRESSIONAL DISTRICT, SOUTH CAROLINA.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ELECTIONS NO. 1,
Wednesday, December 3, 1913.

The committee met at 10 o'clock a. m.

Present: Messrs. Post (chairman), Stephens, Crisp, McClellan, Borchers, Elder, Frear, and French.

The CHAIRMAN. Gentlemen, we will proceed now with a statement by Mr. Whaley.

STATEMENT OF MR. RICHARD S. WHALEY.

Mr. Chairman and gentlemen, I am the one against whom Mr. John P. Grace, the mayor of Charleston, has filed this protest. Up to this time I have not asked the indulgence of the committee to appear before it, owing to the fact that I wanted to give him every opportunity, ample time, and the widest latitude to procure his evidence and bring his facts before this committee.

The primaries in the congressional election in which I took part and was elected took place in the first district of South Carolina on the 1st and the 15th of April of this year. Since the 15th of April Mr. Grace has had the opportunity to collect his evidence. He did not file a protest until some time in September, I think it was, some four months after the primaries.

At that time he had held out to the world, through his own personal newspaper, which he sent to Members of Congress and to the heads of the departments here, that he could prove all sorts of charges against me; that he had the proof, the positive proof of the charges. On the 1st of October this committee gave him a hearing, and he brought up certain witnesses and he filed certain affidavits. The committee then adjourned to the 1st of December to give him more time.

I did not attend the hearing purposely, so as to give him the widest latitude to indulge in vituperation or anything else he wished to indulge in. On the 20th of November I received from the chairman of this committee a copy of this record. There were in all 31 affidavits, I think, and some testimony taken.

When I got the affidavits and the testimony, I sent for the men, or communicated to the men, the nature of the charges made against me. They have come down to my office and insisted on making affidavits or coming up here to Washington before this committee to give not the untruth to the statements made against them, but the absolute lie to the statements made against them.

I have brought these affidavits up with me, and I have made the request of the chairman to appear here to-day for the purpose of filing these affidavits with this committee, irrespective of what action this committee may take on this protest. These men want to go on record and have placed on record their absolute denial of the charges made by Mr. Grace.

I think it is only fair, Mr. Chairman, to myself, to the people of my State, to the people of my district, of my county, and my city, that I should explain to this committee the animus and the reason why this charge is placed against me. Mr. Grace and myself have been political enemies all our lives. We have been personal enemies all our lives. He has been the political and personal enemy of my family. Some years ago, when my brother-in-law, who was then mayor of the city of Charleston, ran for the Senate of the United States, Mr. Grace entered the race and badgered and harassed him through the State, absented himself from his law practice for two months, and went through the State of South Carolina badgering him on every stump, and at the end of the contest he got less than 2,000 votes out of about 141,000 votes cast in the State of South Carolina. He got less than 400 outside the city of Charleston in the whole State of South Carolina. I am mentioning that to show you the animus in this whole matter.

The CHAIRMAN. Let me interrupt you. What is the name of your brother-in-law who was a candidate for Senator?

Mr. WHALEY. R. Goodwin Rhett. Mr. Grace has filed with this committee 31 affidavits and the testimony of Mr. Larisey. With the exception of Mr. Larisey this committee has not a scintilla of evidence, affidavit, or testimony taken here of anything outside the city of Charleston. Over 60 per cent of the votes in my district are cast outside of the county of Charleston. I have here, sent to me from every county in my district, the affidavits of men giving the lie to the statements made by Larisey. It has been rather hard for me to get to the distant counties in regard to the testimony which Mr. Larisey gave here, and these affidavits are not confined to men who supported me, but also to men who supported my opponent, such as the campaign manager in the county of Berkley for my opponent, and from men who, like Mr. Dick, who is chairman of the ways and means committee of the house of representatives of South Carolina and who is the head of the Knights of Pythias of the State of South Carolina. I have secured the affidavits from men ranging from the mayors of the towns to the clerks of the courts, bankers, lawyers, and doctors throughout that first district, absolutely giving Mr. Larisey the lie, and stating to this committee through affidavits that they would not believe Mr. Larisey on oath—men from his own county, which he brags he carried when he ran for Congress against Mr. Legare.

I have my own statement here where Mr. Larisey came to me and tried to get me to buy him, and I turned him down, right from the beginning Now, I say, outside of the city of Charleston, if you will analyze the testimony and the affidavits given here to this committee, there is not a scintilla of evidence except Mr. Larisey's statement, and here are the overwhelming affidavits, and they are coming in by every mail to me.

The county of Clarendon is away up in the corner of my district, and yet they are coming in from that county now.

I have in the city of Charleston the affidavits of almost every man who has been accused in affidavits or testimony. I have to-day had sent to me an affidavit of a man who has made an affidavit for Mr. Grace, and I want to explain to this committee the nature of these affidavits which have been brought here, and the character of the men who have made them. If your committee will examine into them, you will find that they are policemen and the lowest type of policemen on the police force of Charleston. They are blind tigers and the lowest type of blind tigers in my city, and they are the members of the street gang, the lowest type of men on those street gangs. And, Mr. Chairman, I have affidavits here from men stating that they were coerced and forced to go down to Mayor Grace's office and sign statements, but they did not know what they were signing. I have in my possession to-day an affidavit which came to me by mail, and I would ask the indulgence of the committee to read this, because it will show up the general tenor of all the affidavits and the men who have made these affidavits.

Here is an affidavit made by Mr. Fosberry. He has incorporated his affidavit filed by Mr. Grace with this committee in this affidavit, in which affidavit he says that he was bought and his companions were bought.

Mr. FRENCH. He is the one who testified to that conversation right there in the store, is he not?

Mr. WHALEY. No, sir; but there are affidavits about that.

Mr. FRENCH. I was trying to identify this one. What is this man's name?

Mr. WHALEY. Frank Fosberry. He claims he was bought in ward 3. I will read his affidavit. Here is his affidavit filed with the committee by Mr. Grace, which I will read now.

(At this point Mr. Whaley read the affidavit of Mr. Fosberry.)

Mr. WHALEY. Mr. Chairman, that is the nature and the class of men who have signed affidavits and have been brought before this committee, blackmailing my character and stealing my reputation from me.

The CHAIRMAN. This hall that they mention there, was that actually your headquarters—your political headquarters?

Mr. WHALEY. Mr. Chairman, I never heard of it before in my life until I heard of it in the affidavit or in the testimony in this case. As I understand it, it was a place where these men would go at night—it is on the water front of the city of Charleston, and it is the place where they go at night and check over the club rolls. We have a primary system down there that the committee should understand. In our primary you have to have your name on a club roll, and the rolls are made up by the secretary. You sign an application and send it in, and one of the tricks that is used down there by the politicians that do not adhere to the law is to take the directory and just fill up applications from different wards of any names from any house, and sometimes you have 27 names from a vacant lot in a ward. Before the election those club lists are gotten by the candidates, and they employ men in these wards to go around and

check up these different men at the different houses. For instance, in this very ward, No. 3, there were 27 men registered from a stable, the keys to which a friend of mine had, and there was not a single man living on those premises. We checked those men up and they were marked on a book. We make out a book to have those men challenged when they come to the polls. When they come up there and call their names, saying that they are from such and such a street, they are challenged. That is the object of the challenge and why we pay men to check the wards. You have got to take a man who knows his ward. We have 12 wards in the city of Charleston. In this particular ward, 3, they have something like between 700 and 800 names on the club rolls. There were, I think, 700 and odd votes cast at that ward. I got 131, I think, or 141 out of the 700 and odd votes in the ward.

I have filed with my affidavit here a certified copy of the returns of the two primaries under the seal and hand of the chairman of the executive committee, which will show the votes of the county of Charleston, and in each ward of the city of Charleston, and the different number of votes for each candidate in both primaries.

The CHAIRMAN. This witness here states that he was paid, as he stated in his former affidavit. Who paid him and how was he paid? He said he was working for you.

Mr. WHALEY. Mr. Post, you will find in my return to Congress an item, which is over $1,800 or $1,800 and odd—it is in that neighborhood—I will have to get the amount—for what they call "ralliers" and challengers. Those are the men who have checked over these ward lists and know the men in the ward. It is simply impossible, for instance, to take a man out of ward 1 and send him up in ward 10, for instance, to challenge up in that ward. He does not know the men up there. You have got to take a man out of ward 10 and get him to check up that ward, because he knows the men in the ward, and that has been the universal custom down there for years. It is a legitimate expense. It is covered by the statute law of the State and is done by every candidate who wants to get a square election down there.

Mr. FREAR. Have you an itemized statement of that $1,800?

Mr. WHALEY. Yes; it is filed here with my return to the proper office of the House.

Mr. MCCLELLAN. You explained that to me when I spoke to you about it, if you will recollect, in the House one day?

Mr. WHALEY. Yes.

Mr. MCCLELLAN. Perhaps the committee would like to hear it also.

Mr. WHALEY. What is that?

Mr. MCCLELLAN. Your statements did not exactly coincide. They made some point here the other day about that.

Mr. WHALEY. Yes, sir. The differences between the return made to the State and the return made to the House of Representatives here, is this: The statement here does not include, for instance, the assessment fee to the executive committee of $500. We were all assessed $500 as a charge by the executive committee to be a candidate in the primaries.

Mr. FREAR. Was that statement filed elsewhere?

Mr. WHALEY. Yes; in the State.

Mr. MCCLELLAN. You will recollect that Mr. Grace spoke about it.

Mr. FREAR. I did not understand it.

Mr. WHALEY. That item is not, of course, in this return, because this law exempts that from being filed with your return. There are certain exemptions in this act of Congress which you do not have to file for. For instance, you do not have to file your stationery and stamps, and that sort of thing. In the State you have to file everything.

Mr. MCCLELLAN. You recollect that he said that, Mr. Frear?

Mr. FREAR. No; I did not understand what it had reference to, if my attention was called to it.

Mr. WHALEY. Therefore, there would be a difference in the two statements in that way.

Mr. FREAR. I understand that now.

The CHAIRMAN. Under your law of South Carolina, what is the maximum amount a candidate for Congress is allowed to spend?

Mr. WHALEY. There is no limit at all.

Mr. ELDER. What is the total amount that you made a return for, Mr. Whaley?

Mr. WHALEY. My recollection of it, Mr. Elder, is that the statement filed here is in the neighborhood of $4,600. I think that was my total expense, excluding my $500 and other expenses excepted under this act. If you take the State return and this return together you could find that. It ran up to, I think, in the neighborhood of, I think, $6,100. That includes the exemptions under this act. You see what I am driving at? I want to get that clear in your mind.

Mr. FREAR. Oh, yes; that is, as to the different statements, one filed with the State and one filed here.

Mr. WHALEY. Yes; because I have not got in this return the $500, but that is exempted under this act. You do not have to file it.

This was a special primary held in South Carolina. Ordinarily I think the charge for a candidate for Congress is about $200 assessed by the State executive committee. That is, when they have an election for all the State officers at one time; but this being a special election they assessed each candidate $500, and we all had to put up the $500.

When I first entered this campaign, Mr. Grace kept quiet for about a week, I think, until Mr. Hughes came into the campaign. Then he openly announced that he was going to back Mr. Hughes, and, gentlemen, before I had incurred the cost of $15 in stamps and stationery, Mr. Grace got up on the stump in Charleston and said that I was spending unlimited money and wire pulling. I had up to that time employed a stenographer and rented an office. I was up at the State capitol at the time in attendance upon the legislature—and put her in the office to get out some letters for me. From the very day that I entered this race I knew I had Mr. Grace on my back, and I will always have him on my back. He has been the personal and political enemy of myself and my family, and his one idea in this protest is to humiliate me and embarrass me in my work and impede me in properly representing my constituents.

I want to say to the committee that to some extent it has humiliated me. I have not felt like going around and mixing with the Members of Congress. I have felt it improper for me to do it, in a way, because of the fact that I would rather be kicked out of the House than have one man in Congress think that I sought his friendship in order to get his vote under any pretext. This is the first time in my life that I have ever had any charges put against me, and I have been in politics for 14 years. The people of my county and the people of my State have honored me with office. I have never been defeated for any office for which I have ever run. I dislike to mention these things, but I am forced to do it to-day, and I hope you will pardon me in doing it. I have held the position of chairman of the judiciary committee of the house of representatives of my State for four years, I was speaker of that house for four years, and I was chairman of the Democratic State convention, elected unanimously. I was sent to Baltimore to the last Democratic convention. I have held every position which required parliamentary skill which was in the gift of the people of my county and my State, and all the time I have had Mr. Grace at my heels, nagging and hitting at me.

I do not blame him. I have always fought his methods, his principles, and his tactics, and I will always continue to fight them. I do not believe in his principles, I do not believe in his methods, and I do not believe in the man. As I say, he has reason to fight me. Some years ago he tried to steal the county convention in my county. I was one of the men who stood up there and fought him. It was appealed to the State convention, and the State convention unanimously kicked him out, and I was the man leading that fight. Therefore I say he nas cause to fight me. But when the committee looks into this case and examines the character of witnesses he has brought up here, you will find that there is not a single respectable business man, lawyer, doctor, merchant, or physician who has signed an affidavit, or who has given any testimony before this committee—not a one.

If this election was, as Mr. Grace charged in his paper, an auction instead of an election, do you not believe that there would have been one man who would have joined with Mr. Grace in this contest? We had 12,000 votes cast in this election. There are about 15,000 votes in my district, and yet outside of the county of Charleston he has not got a single man to give you any testimony as to the use of money or the use of liquor, except Mr. H. D. Larisey, a man whom it is notorious was practically convicted of forgery in Colleton County.

Mr. FREAR. Was that a criminal case? You say he was convicted of forgery.

Mr. WHALEY. No; not a criminal case. It was a civil case, the case of the Exchange Bank & Trust Co. He is well known down in that county, and he is known all through the first district of South Carolina. There are men who have filed the affidavits here who have grown up with him. His brother-in-law and his lawyer have made affidavits that they would not believe him on oath; men who have known him all their lives.

The CHAIRMAN. How many affidavits have you impeaching his integrity?

Mr. WHALEY. Mr. Chairman, I think there are some 40 or 50, and they are coming in to me. I got a batch of them this morning, but I did not count them.

Mr. ELDER. I thought the character of their witnesses was rather remarkable, but they brought one man here that impressed me as being a pretty good fellow, that he was really here as a friend of Grace's. He was a brakeman or a switchman.

Mr. WHALEY. That is Mr. Sargent.

Mr. McCLELLAN. He was a foreman down there in a workshop, was he not?

Mr. WHALEY. Yes. I have known Mr. Sargent casually for years, but I have been informed, and I think if the committee will examine into it that my information will be found correct, that Mr. Sargent was discharged from the Atlantic Coast Line the other day for using the property of the Atlantic Coast Line in outside work.

Mr. FREAR. Have you any objection to answering a few questions?

Mr. WHALEY. No; not in the world.

Mr. FREAR. That we can come to a better understanding, we will get your view of it, and you will get a better understanding of the way that things have been put up to us here, and then we can all ask any questions.

The CHAIRMAN. Yes.

Mr. FREAR. You are a lawyer, are you not?

Mr. WHALEY. Yes, sir.

Mr. FREAR. And consequently familiar with all the rules of evidence, and will naturally know the weight of the affidavits which have been given here. If this evidence is of such a character that it really places you in a doubtful position as to your seat here, do you not think that the committee ought to have the facts presented before it by something better than affidavits—by actual evidence? Do you not think that would be more satisfactory, for your own justification?

Mr. WHALEY. Mr. Frear, I was going to mention to the committee that naturally you may all think it strange why I have not joined in this protest and asked for an investigation. I would have done so if Mr. Hughes, my opponent, had filed the protest, or any man who I thought was actuated by any other motive than personal malice and political revenge.

I firmly believe, and I think that if you will examine into those affidavits and the character of the men, you will find that the whole object and aim of this thing is to humiliate me first, to hold it over me as an embarrassment in my work here, and to impede me in my future work.

Mr. FREAR. Would it not be better for you to have a certificate coming from the House of Representatives that will effectually put a quietus on such a proposition by an investigation by this committee?

Mr. WHALEY. Mr. Frear, my people down there pay no more attention to this thing, except being mad about it, than they do the noonday sunshine.

Mr. FREAR. There are some statements that have been made here that of course can not be brushed away—I mean like the affidavits here—without creating some thought. We are interested, for instance, in knowing about Mr. O'Shaughnessy. He has made an affidavit. Does Mr. O'Shaughnessy say he never spent any money for you in that ward?

Mr. WHALEY. Yes.

Mr. FREAR. He makes that statement?

Mr. WHALEY. Yes.

Mr. FREAR. We have the testimony by affidavit, or otherwise, of several parties who claim they saw him with money, paying it out, and they give the names of them to whom it was paid.

Mr. WHALEY. Yes, sir; and those men have come forward here themselves and given affidavits. Furthermore, Mr. O'Shaughnessy is a magistrate and has been for 11 years. He has been reelected every two years. He is considered by the bar one of the best magistrates we have in the county, and he has an affidavit here making the statement that the men who testified against him have been brought before him and admitted that they were thieves.

Mr. FREAR. Does he claim he never had any of your money, or never spent any of your money for you?

Mr. WHALEY. Mr. Frear, there is not a man in the first district can say I gave him a 5-cent piece.

Mr. FREAR. I understand they do not couple you directly with it in the majority of affidavits we have.

Mr. WHALEY. Yes, sir; they do. There are two policemen that say that.

Mr. FREAR. I say a majority.

Mr. ELDER. Were they policemen at the time?

Mr. WHALEY. Yes. One man has been since discharged for drunkenness and firing his pistol off on the Fourth of July. Or, he was not discharged, but he resigned under charges, and is now trying to get back on the force.

Mr. ELDER. Was not Mr. Grace there at the time?

Mr. WHALEY. Yes.

Mr. FREAR. One man testified that there was spent about $8,000 for you in the ninth ward, and he gives a number of people who he said were seen disbursing the money. And then there were corroborative affidavits. Is it true that any money was spent there?

Mr. WHALEY. I could not testify before you that there was not any money spent there.

Mr. FREAR. I mean in your behalf.

Mr. WHALEY. I can say to you that I did not give any money to be spent there, and I can say that I did not see any money spent up there.

The CHAIRMAN. Did you give money to anybody else to spend for you?

Mr. WHALEY. No, sir; I did not.

Mr. FREAR. Was anyone contributing money for you?

Mr. WHALEY. I was told by a friend here that a friend of his had told him he had, without my knowledge, contributed a small sum to assist in my campaign. I told him I had no idea that this man would ever put up a 5-cent piece for me. The members of the committee must bear this in mind, that this was a hotly contested election down there among our friends, because I was fighting what I claimed to be the Tammany machine led by John P. Grace and Leon Larisey, and that the candidate of Mr. Grace was a wax figure, and that his election would simply mean mean the election of a wax figure, and Grace would be both mayor and Representative in Congress.

Mr. FREAR. There is a statement that you spent $8,000 in the ninth ward, and that you had over 100 committeemen in that ninth ward.

Mr. WHALEY. No; they claim I had 70, and they had 175.

Mr. FREAR. No; that is in one of the clubs, as you call it, but there were two clubs. They said there were only 200 or 300 men in the whole ward but what were in one club or the other. I am speaking about clubs, and you are speaking about the wards generally.

Mr. WHALEY. I am speaking about the wards.

Mr. FREAR. It is claimed that those men were under pay. The affidavits show there were various wards where men admitted they received money and that they paid out money, and some men admit they were offered money, and they give the amounts.

Mr. WHALEY. If you will look into it, and take the wards—there are 12 wards in the city of Charleston, and the two wards they claim the fraud was in were the third and the ninth.

Mr. FREAR. They claim that money was spent in several of the wards.

Mr. WHALEY. I know, but it is really the third and the ninth. There is an affidavit here from a man named Nolan in ward 12. He comes forward and makes an affidavit in which he says that this paper was handed to him, and he did not know what was in it; he read it over hastily, and signed it. He says he was paid for checking up the list of voters in the ward, and for staying there and challenging the illegal voters there.

Mr. FREAR. Who paid him?

Mr. WHALEY. My friends, I suppose, in that ward.

Mr. FREAR. Whose money was it?

Mr. WHALEY. It was not my money.

Mr. FREAR. That is the question. It is said you had relatives there who helped contribute.

Mr. WHALEY. I suppose my relative did. I do not know it, but I have been told that they did.

Mr. FREAR. If it was shown that the moneys contributed there amounted to $40,000 or $60,000 (am accepting Grace's figures, just to show what the charge is), even though you knew nothing about it, Mr. Whaley, do you not think you ought to be justified by having a statement from this committee that you were entirely innocent of any connection, and that none of your relatives could claim to have put up for you? Do you not think it would be fairer to you?

Mr. WHALEY. Mr. Frear, so far as I am concerned, I do not think it would make a particle of difference down in my district, for this reason, it is well known down there the object and aim of this protest, and the animus behind it, and the methods that the man is using in order to cause me political embarrassment.

Mr. FREAR. Of course, we are not, as a committee, so much concerned with the questions of fraud and the expenditure of money as we are with the question of the violation of the statute. That is, the filing of the correct amount of money expended, when there is a limitation fixed by law. As you claim you had no connection with this and knew nothing about it, do you not think it would be better for you to be justified when such a charge is made against you with that law in view?

Mr. WHALEY. Mr. Frear, it does not make any difference to me whether this committee investigates or not, personally. I feel so satisfied of the outcome that it does not matter at all. The only reason I do not want and the only reason I do ask a dismissal of this would be that I believe the Members of Congress would take the decision of this committee in dismissing this protest as much as they would if there was

an investigation made of this thing, and in addition thereto, if there is an investigation, it will only play into the hands of my political enemies by tieing me up, maybe, for two or three months in an investigation, and depriving me and my people of my services here in Congress in getting things for them and looking after their interests——

Mr. FREAR. It will not tie you up any longer than it will the members of the committee.

Mr. WHALEY (continuing). Because of the fact that if I was charged with murder committed in California I would certainly have to go out there and look after my interests, and see that I was not convicted, although I might be absolutely innocent. In this case I would more than have to give my time to it, because I see the nature of the witnesses and the character of the witnesses which they are going to produce against me, and my own judgment is that they can get half a dozen men to come up here and swear away my life just as well as swear my character away.

Mr. FREAR. On that score it is said he has brought these men at their own expense, which is a very unusual proceeding, and presented these affidavits which men ordinarily object to signing where they incriminate themselves, or put themselves in the position that these men are. Is it not better and fairer to you and the House and this committee to have a statement as to the facts of the case brought up, in view of the fact that you are charged—and it is shown here and they give the names of the parties—with disbursing $40,000? There are many of those things in which I agree with Mr. Elder and the others, that there is no question as to the character of some of the witnesses. We can tell that immediately. I do not believe there is a member of this committee who would be misled from the character of the witnesses. I am speaking from your standpoint. Would it not be better for you and the House, with these charges pending? Otherwise, how can we, with contesting affidavits, pass on the merits of the case?

Mr. WHALEY. I am new at this congressional business. If you asked me that, and it was in South Carolina before a body of the general assembly of that State, I could give you an answer to it, but I can not give you an answer here in this Congress where I am new. I do not know what effect it would have with the Members of this Congress. I can tell you what effect it would have in the State of South Carolina. There would not be a member of the State legislature or any body that they could gather in the State of South Carolina who would believe these charges, and they would be very quickly dismissed on an investigation. I have read these charges.

Mr. FREAR. You appreciate that they are sworn charges? As to the character of the men, some of them are the kind of men that you suggest. That is, they must be, because of the facts related in the affidavits, but others there make clean-cut statements, and it is hard to brush those things aside except by making an investigation.

Mr. WHALEY. I may be mistaken and partisan in my reading of these affidavits, but the only two statements that I feel are clear cut are those of two policemen that a man was presented by me with a sum of money on election day. And you have against that an affidavit from the man who was supposed to receive the money that it is a lie. I come before you and I say it is a lie and I put in an affidavit. If this committee is in a position to say they would rather take the word of the two policemen who were under the domination of Mayor Grace, as against a man who has a clear title to his seat in Congress, so to speak, and the man who is said to have received the money, then I say it is useless for me to say anything to you.

Mr. FREAR. You do not get the point. I speak of that with the strictest kindness, because we are all interested in getting a proper understanding of it. Here are charges that $40 were paid to this man, so much to another man, and $8,000 paid for your interest in one ward, $1,900 in another ward. These are the charges, and they come in the form of affidavits, and Mr. Sargent has testified to having seen O'Shaughnessy or some of these people pay out money. These are the questions, and your answer to that is that you were not connected with it, and that you do not know about it. The decisions rendered by the House of Representatives in the Catlin case, I believe, are to the effect that you can not refuse to know about some things, particularly expenditures made by members of your own family.

The CHAIRMAN. The decision in the Catlin case was where the father, the son having lived and eaten at the same table, and all that, they would presume he did know something about it.

Mr. FREAR. We do not know the facts. We can not tell what the facts are until the committee has made an investigation.

Mr. MCCLELLAN. That $8,000 is just simply an estimate of that man, is it not?

Mr. FREAR. Oh, surely.

Mr. WHALEY. Mr. Frear, I have not the slightest doubt that they can produce men to come before you and say there was $8,000 spent in that ward. If you will go and look at the class of men they bring before you, for instance, a blind tiger of the very lowest

type in my town, who is dependent upon running his place entirely upon Mr. Grace's say-so. For instance, take Mr. Hogan that they produced here. Mr. Grace allowed him to run such a low dive there that the governor of the State, who says he does not strictly enforce the dispensary law, but that men can drink where they please, Mr. Blease had that place closed up.

Mr. FREAR. Mr. Whaley, why did you not come here when this committee had Mr. Hogan here or have some representative, to put us in the position to know. You waited until all these facts had gone by and these people had removed themselves and then you come and make the statement impeaching their statement, and you ask the committee to accept your statement without any investigation?

Mr. WHALEY. I did not come to you for that purpose.

Mr. STEPHENS. Hogan admitted all those things, about running that dive in violation of the law.

Mr. FREAR. That is right.

Mr. WHALEY. I did not come here to impugn them at all. I simply came here for the purpose of filing these affidavits.

Mr. FREAR. I have made a memorandum, as I understood this morning you were going to appear, of one or two of those cases. It is stated here in the Grace affidavit that Dan Bean says that Frank Simmons spent $1,900 in the tenth ward. Could you say of your own knowledge that that is not true?

Mr. WHALEY. I can say I never spent a penny. I can say I never saw him spend a penny, and to my best knowledge and belief he did not spend a penny. That is all I can tell you.

Mr. FRENCH. I should like to ask a few questions, just preliminary to this, right in line. Was there an organization independent of your immediate congressional committee, or whatever organization you had conducting your campaign, and through which you spent the moneys you have reported? Was there an organization working in your behalf?

Mr. WHALEY. My friends were working all over town. I had no regular organization. I was fighting the organization.

Mr. FRENCH. Was there an organization that may have spent anything like, say, the amounts alleged to have been spent in those wards, from a few thousand to $5,000 and $6,000 in those several counties?

Mr. WHALEY. Never in the world, sir.

Mr. FRENCH. That would have been impossible without your knowing it?

Mr. WHALEY. I think so, Mr. French. I had traveled the county all around and I had never heard of that.

Mr. FREAR. It is claimed here that in Colleton County $5,000 was spent by Whitsell, Ackerman, and Peurifoy. Were those men working in your behalf?

Mr. WHALEY. Yes. They were men absolutely opposed to the other side. Their affidavits are in here denying the statement you refer to.

Mr. FREAR. It is claimed that in Dorchester County $6,000 was spent by Simmons, Limehouse, and Utsey.

Mr. WHALEY. There are affidavits in here on that.

Mr. FREAR. It is claimed that in Clarendon County $6,000 was spent by Dr. Dick, Logan, and Harden.

Mr. WHALEY. There is an affidavit here from Dr. Dick. I understand that the affidavits from Harden and Logan will reach me to-day.

Mr. FREAR. In Berkeley County the statement says that $2,900 was spent by Russell Williams.

Mr. WHALEY. There is an affidavit from Russell Williams, from his father, and from the manager of the Hughes campaign in Berkeley County giving it the lie.

Mr. FREAR. That brings it down, so far as the outside districts are concerned, to Larrisey's affidavit—his statements before the committee and affidavit giving the names of about 125 people and in which it is suggested what some of these people may be able to testify. Do these men testify in these affidavits of yours that they did not spend money in your behalf?

Mr. WHALEY. Yes, sir; they give it the lie right from the shoulder.

Mr. FREAR. That none of them spent it out?

Mr. WHALEY. That is what they claim, sir.

Mr. FREAR. Taking the city of Charleston, in order to get something tangible, I understand you to say that O'Shaughnessy states in an affidavit that he did not spend any money in your behalf?

Mr. WHALEY. His affidavit is here.

Mr. FREAR. I am just asking that question in a general way.

Mr. WHALEY. I have never read it over. I glanced over it when it was sent to me yesterday.

Mr. FREAR. The affidavits here of two or three are to the effect that he admitted that he had approximately that amount to spend for you.

Mr. WHALEY. Oh, no.

Mr. FREAR. I say that is their statement.

Mr. STEPHENS. You might see what O'Shaughnessy says in that affidavit.

Mr. FREAR. Yes; he might read that.

Mr. WHALEY. It is four pages long.

Mr. FREAR. I will ask one or two questions and then we will take that up. Mr. Samuel Barshay says he was offered $300 for rooms for your campaign.

Mr. WHALEY. Mr. Frear, I have never seen Mr. Barshay in my life. I have got an affidavit from the man he claims offered it to him, giving it the lie right off the bat. And I can say this to you, that if there is any man in my whole district who signed my initials to any check in any shape or form he did it without my knowledge, without my consent, and without my subsequent ratification.

Mr. FREAR. Mr. Harbeson says he was offered $40 by Wickert for his vote.

Mr. WHALEY. There is an affidavit here by Mr. Wickert.

Mr. FREAR. In opposition to that?

Mr. WHALEY. Yes, sir.

Mr. FREAR. Then there are the names of others. Joseph La Torre said he had $600 for the fifth ward.

Mr. WHALEY. There is an affidavit which says he was taken down to Mayor Grace's office; that he can not read and write English; all he can do is to sign his name; that he was taken down there and made to put his name to this paper, and he does not know what was in it. He absolutely denies the statement.

Mr. FREAR. A. Seabeck says that Thomas Young said he had $250 of your money for the third ward.

Mr. WHALEY. There is an affidavit here by Thomas Young.

Mr. FREAR. You have made an endeavor, then, to get affidavits from all these parties whose names have appeared in the affidavits?

Mr. WHALEY. I did not make an endeavor to get affidavits. I did this: I let the men know what had been testified against them and who had so testified.

The CHAIRMAN. Let Mr. Whaley explain what he did do toward getting these affidavits.

Mr. WHALEY. Mr. Post, I let the men know what had been said against me and them. For instance, I was up at the navy yard, seeing Admiral Helm. Thomas Young works up at the navy yard. I asked Admiral Helm if I could see Thomas Young, and he said, "Yes." I said, "Young, there is an affidavit down there stating you bought votes for me and you paid men." He said, "It is an absolute lie." I said, "You had better come down to my office and make an affidavit." He came down that night and made the affidavit He said, "Mr. Whaley, it is an absolute lie, and I want to make a statement to that effect," and here is his statement. That is one of the instances. He went out and told Maxey Coleman, who is mentioned along with Thomas Young.

Mr. FREAR. Yes; I remember his name.

Mr. WHALEY. Maxey Coleman went and told Richard Fonte, who is mentioned along with Maxey Coleman. One after the other they came up to my office and made their affidavits before my partners—two of them. O'Shaughnessy did not come near me. He went to Mr. Rivers.

Mr. FREAR. I would like to have you read O'Shaughnessy's affidavit.

(At this point Mr. Whaley read the affidavit of Mr. O'Shaughnessy.)

Mr. WHALEY. There is an affidavit here from every one of those men he has mentioned.

The CHAIRMAN. What does Mr. O'Shaughnessy do?

Mr. WHALEY. He is a ministerial magistrate down there. He has been for 11 years.

The CHAIRMAN. What are his duties? Is he a sort of a justice of the peace?

Mr. WHALEY. Yes; corresponds to a justice of the peace in other States.

Mr. FREAR. I could see that it would be an interminable proposition to go all through these affidavits. Why would it not be a good plan to have these affidavits copied and one sent to each of the members?

The CHAIRMAN. We will have that done.

Mr. FREAR. That will give us a clear understanding of it.

Mr. FRENCH. I should like to ask two or three other questions while Mr. Whaley is here. We have several affidavits which, if not charging directly, at least do indirectly, that you promised certain post offices. I should like to have your statement on those matters.

Mr. WHALEY. Mr. French, I have put in the affidavit here that I have filed that it is absolutely untrue. I promised nothing in any shape or form to anyone, directly

or indirectly, through anyone, directly or indirectly, a post office or any other job in the whole district in that election.

Mr. FRENCH. And you did not authorize anyone to represent you in any capacity in that way?

Mr. WHALEY. Absolutely. There is not a man who could get up and truthfully say that I indirectly suggested that he would get an office. I am satisfied that Mr. Gerald, who is mentioned in Mr. Larisey's affidavit, will come before this committee and say that I never even saw him or knew him until after I had my seat in Congress here. The postmistress at Manning had resigned, and I was notified by the department to fill the office, and then, when Mr. Gerald came down with his father-in-law to the city of Charleston to see me I met him for the first time, and that is the first time I ever saw him. Mr. Davis, his father-in-law, who brought him down there, told me he would not vote for me in the first primary, that he would vote for Mr. Padgett.

The CHAIRMAN. Could you get their affidavits to that effect?

Mr. WHALEY. I was going to send to Mr. Gerald for an affidavit. I did not appoint Mr. Gerald or Mr. Wells. I appointed a Mr. Bradham.

Mr. FRENCH. I recall, too, that the affidavits were not direct. They said that they were promised in your behalf, as I recall it.

Mr. WHALEY. Mr. French, there is not a man living who can say that I authorized him in any shape or form to promise anything in my behalf. When I was elected speaker of the house of representatives of South Carolina I had to go to two ballots. By promising one chairmanship I could have been elected on the first ballot. I told them that if I had to make a promise of that kind I would not be speaker of the house of representatives. I went to the second ballot. It was the same way with this congressional election. I promised absolutely nothing, and no one in the district can get up and say that I authorized him to even intimate whom I would appoint, and if anyone says that he was he has told an absolute falsehood.

Mr. FREAR. Not touching your case, Mr. Whaley, but touching on the custom there, these people on the other side have testified that they spent $4,000, I think it was, in the ninth ward. They have presented their statements to that effect. Do you think that is true?

Mr. WHALEY. Mr. Frear, I could not tell you.

Mr. FREAR. Would you say that is the way that money was spent?

Mr. WHALEY. I really do not know. You are asking me to tell you of a situation that I really do not know anything about. I do not know anything about the spending of money in this election down there.

Mr. FREAR. You were in Charleston during that election, were you not?

Mr. WHALEY. I went through every ward in that city. In ward No. 9 they pulled the barricades down over my head, and Grace's policemen stopped me from going into the polls to ask what the vote was, and his man, Wingate, who is mentioned as the head of the chain gang, pulled the barricade down over my head, and I had paid to have the barricade put up in order to have a fair election. Mr. Grace and his crowd would not share the expense of it, and I paid for the barricade, and it is in my statement itemized with the Clerk of the House that I paid $147 to put those barricades up there to keep people from crowding the polls.

Mr. FREAR. Did you see any money paid during that election?

Mr. WHALEY. Not one penny.

Mr. FREAR. Did you hear of any money being paid—that is, I mean, in a way that would give you to understand that it was paid for you?

Mr. WHALEY. No; I did not.

Mr. FREAR. I do not mean idle rumor.

Mr. WHALEY. No.

The CHAIRMAN. Mr. Whaley, this question may be rather embarrassing, but I think the committee ought to know it. What is your private fortune?

Mr. WHALEY. Mr. Post, I am glad you asked me that. I inherited in 1906, after my mother's death, some property which consisted mostly of a home—a family home. It is a large piece of property in the city of Charleston, I suppose worth between $30,000 and $35,000.

The CHAIRMAN. You still own it?

Mr. WHALEY. Yes.

The CHAIRMAN. Is it encumbered in any way?

Mr. WHALEY. Not at all.

The CHAIRMAN. Go ahead.

Mr. WHALEY. Outside of that I have a few shares of stock in companies, like all lawyers have who organize corporations. The values of those stocks is uncertain, as you know.

The CHAIRMAN. What do you estimate that you inherited from your mother's estate, the value of it?

Mr. WHALEY. I inherited between $40,000 and $45,000, including this house, which was, as I say, valued anywhere between $30,000 and $35,000.

Mr. STEPHENS. That is a residence, you say?

Mr. WHALEY. Yes; a residence.

The CHAIRMAN. Outside of what you inherited from your mother's estate, what did your fortune consist of?

Mr. WHALEY. Outside of that if you hit a balance, it will about even off, my liabilities and my assets.

The CHAIRMAN. Have you any rich relatives there that would spend money for you to obtain a seat in Congress?

Mr. WHALEY. No; I do not think so, sir. I have a father and a brother.

The CHAIRMAN. Your father is still living?

Mr. WHALEY. Yes.

The CHAIRMAN. What is your father worth?

Mr. WHALEY. My father's property is all trust property. He gets the income from it.

The CHAIRMAN. What is the annual income from this trust property?

Mr. WHALEY. I suppose $2,800 or $3,000 a year.

The CHAIRMAN. What is your brother's occupation?

Mr. WHALEY. My brother is a practicing physician down there. He has a good practice.

The CHAIRMAN. Did he inherit from your mother also?

Mr. WHALEY. The same as I did.

The CHAIRMAN. What would you estimate his property to be worth?

Mr. WHALEY. Practically the same as mine. We got the same thing under the law.

The CHAIRMAN. Are there any other near relatives that inherited from your mother's estate?

Mr. WHALEY. Not in the city of Charleston. There were some little nieces, but they were not in the city of Charleston. One is at Columbia and one is in Baltimore.

The CHAIRMAN. What do you estimate the firm's practice is worth a year?

Mr. WHALEY. What firm's practice?

The CHAIRMAN. Your law firm.

Mr. WHALEY. That varies, Mr. Post.

The CHAIRMAN. I know it would, but take a general average.

Mr. WHALEY. For the past three years we have not done so well because the law business in my town has been very dull for three years. Before then my partner and myself would make anywhere from $10,000 to $12,000 or $15,000.

The CHAIRMAN. Mayor Grace has given the committee to understand that down there you have been having heretofore in your primaries exceptionally corrupt practices—that money has flowed like water. What has been your observation as to that?

Mr. WHALEY. Mr. Post, Mr. Grace can speak about that a great deal better than I can.

The CHAIRMAN. I know, but what has been your observation?

Mr. WHALEY. I have never been thrown with the money part of it. I know nothing about that. So far as the handling of money, or anything like that, I have never seen it around, and I have never had anything to do with it. If it has been going on, there is not a man who can say that I ever gave a dollar in any primary—in any election.

The CHAIRMAN. Do your statements contain a true and correct statement of the amount of money that was expended by you and in your behalf, so far as you know?

Mr. WHALEY. I have sworn to it, sir. It is correct. I will swear to it again, if the committee wants me to. I presume one oath to it is sufficient.

Mr. FRENCH. There was one affidavit that bore directly on a boast that you made in talking to this man who made the affidavit, that you would go broke, or else obtain this election. I think it is very pertinent to ask a question on that point.

Mr. WHALEY. I am very glad, Mr. French, you asked that. I have known this fellow Hogan for some time.

Mr. FRENCH. I think it was Mr. Hogan who made that affidavit, was it not?

Mr. WHALEY. Yes; Frank Hogan. I met him in what they called the Hyde-Grace campaign for mayor. Hogan was one of the characters of the campaign, and was taken around to make these funny speeches. When the congressional election was on I was standing in front of the Commercial Bank talking with Mr. Paul Saunders, who runs one of the largest mercantile crockery businesses in the city, and Hogan came along. I hallooed to him. I said, "Frank, are you going to be with me this time?" He came over and shook hands with me and said, "Mr. Whaley, I have not made up my mind what I will do in this election." I said, "Frank, think it

over and see what you are going to do." At that time I knew he was running a blind tiger up in the ward, and I knew he could not be with me. I did not see him again, I suppose, until two weeks after that, but each Saturday night I would come down from the legislature to the city of Charleston and spend Sunday there and go back Sunday night, and be there Monday morning. This Saturday night, I forget now exactly the date, but I think it was two weeks or three weeks before the primary; it was some time in the month of March—when I came down there to the city of Charleston I was met at the train by a man named M. P. Healy, who is an alderman, and B. P. Carey, and they asked me to walk through ward 9. The Union Station is in ward 9, and I walked through ward 9. The train got in late and we met very few of these men. It is up in the working section of the city, and when we got up to Hogan's place of business Carey said to me, "Dick, you had better speak to Frank." He said, "You can not go into his place, but I will call him out." Hogan ran a negro blind tiger of the worst type in the city of Charleston. Carey went in there and called Hogan out. He came out to me and he shook hands and he said, "Mr. Whaley, I can not be with you. I like you better than Hughes, but I can not be with you. They sent up a committee to me just yesterday to tell me I had to be for Hughes." I said, "All right, Frank; I understand it," and we started off—Carey, Healy, and myself—and his remark to me as I went off was, "You know I am not going to hurt you." Gentlemen, that is absolutely the conversation that happened between Frank Hogan and myself. So far as offering any money or asking him to handle my campaign in ward 9, I never opened my mouth to him about it. I had no idea that Mr. Hogan handled money in the ward.

Mr. FRENCH. Does he not testify that in that same conversation you said you were going to win or go broke in the attempt?

Mr. WHALEY. Yes; I think he does, Mr. French, and I can honestly say to you that I never made any such remark.

Mr. FREAR. What is the practice, Mr. Whaley, there in regard to these blind pigs? Are they countenanced by the administration?

Mr. WHALEY. Blind tigers are nothing more than barrooms. They are allowed to run by the mayor. We have in South Carolina what is known as the dispensary system. The county alone is authorized to sell liquor, and they have to sell it between sunup and sundown in not less than half pints, and it can not be drunk on the premises.

The CHAIRMAN. How many of those speakeasies have you in the city of Charleston?

Mr. WHALEY. I think the internal revenue office shows over 500.

Mr. CRISP. Five hundred internal revenue licenses?

Mr. WHALEY. Over 500 have taken out licenses. Mr. Grace says there are 250.

Mr. FRENCH. Are they fined regularly by the city, or county?

Mr. WHALEY. Certain ones of them are fined, and certain others are not fined.

Mr. FRENCH. That is because they are clubs?

Mr. WHALEY. No; I think there is another reason.

Mr. BORCHER. You mean favoritism, in plain English?

Mr. WHALEY. Yes.

Mr. FREAR. What becomes of the revenue?

Mr. WHALEY. It is supposed to go into the police department, and covered into the treasury of the city.

Mr. FREAR. And it is used in the revenues?

Mr. WHALEY. I suppose so.

Mr. FREAR. I am not asking you on a specific case. I am just asking you if you understand it.

Mr. WHALEY. Yes.

Mr. FREAR. Is that true outside of the city?

Mr. WHALEY. Oh, no.

Mr. FREAR. They have not this class of saloons outside of Charleston?

Mr. WHALEY. Oh, yes. I do not say that now, because in some of the country districts you run across a negro blind tiger, but they arrest them and punish them.

The CHAIRMAN. Mr. Whaley, what did your political organization in these two primaries consist of?

Mr. WHALEY. It was scattered, Mr. Post, all around. As Grace testifies, the sheriff was against me in the first primary and Grace was against me. I practically had an independent campaign run by myself.

The CHAIRMAN. Did you have an organization in each precinct, or how was it?

Mr. WHALEY. No, sir; I had to engage a hall in Charleston for a mass meeting, when I was in Clarendon County, over the long distance telephone. When I was making a speech up in Clarendon County, I did that. I had just a few friends there who were scattered throughout the city that would take me up in the different wards, and that

sort of thing, and make speeches. It was absolutely disorganized. I had no organization at all in that way. In each county I had a few men who would take up the fight for me.

The CHAIRMAN. Did you not have a committee in each township?

Mr. WHALEY. No regular committee.

Mr. FRENCH. Not a party committee?

Mr. WHALEY. This was a fight in the party.

Mr. FRENCH. In the primaries?

Mr. WHALEY. Yes.

Mr. CRISP. We have no opposition in the election. Our fight is entirely in the primaries.

The CHAIRMAN. You had a committee in the county?

Mr. WHALEY. No, Mr. Post. For instance, in Berkley County Russell Williams would be looking after my interests, and his father, the clerk of court, at Monk's Corner, and then there would be some one else at St. Stephens. It was mostly picked up through men who came up to Columbia and suggested to me to run or wrote to me and asked me to run, and those men I would write to and ask them to look after my interests down there. It was done mostly that way in the first primary.

The CHAIRMAN. How about the second?

Mr. WHALEY. In the second primary of course I had the assistance of Sheriff Martin in the city of Charleston. Most of the Von Kolnitz votes came to me.

Mr. FREAR. He was one of the candidates?

Mr. WHALEY. Yes. If you will look at the return, you will see that I not only got the Von Kolnitz vote, but I got the Peurifoy and the Padgett vote in the city of Charleston, and I got the Peurifoy and most of the Padgett vote in Colleton County.

I just wish to make one request of this committee. Of course I do not want to hasten you in any way, but I should like to get this matter off my mind. As I say, it has been somewhat embarrassing and humilating to me, and whatever you decide in the matter I certainly would appreciate it if you would act as quickly as you can.

If you are going to investigate, I should like to know it. If you are not going to investigate, I should like to have the privilege of feeling that I can go around here and mix with the Members and attend to my business with a clear title to my seat, without the embarrassment of having this thing hanging over me.

(Thereupon the committee adjourned.)

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me R. S. Whaley, who, being duly sworn, says: That he was a candidate in the congressional primary held in the first congressional district for the State of South Carolina April 1 and 15, 1913. That among the candidates who entered the race was H. Leon Larisey; and that Mr. Edward W. Hughes was the last candidate who announced his candidacy, which to this deponent's best recollection was on a Friday. That at that time this deponent was a member of the Legislature of the State of South Carolina and in attendance upon the same, and came to the city of Charleston from the State capitol in Columbia on Saturday night to spend Sunday. That the Sunday after the announcement of the candidacy of Mr. Edward W. Hughes, the said H. Leon Larisey rang deponent up at his home and requested an interview, stating that it was a matter of vital importance to both himself and deponent. That deponent fixed the hour of 1.30 for the said interview, at which time the said H. Leon Larisey came to deponent's office and stated to deponent that he had sought the interview because of the fact that the entrance of Edward W. Hughes into the race materially affected his candidacy, owing to the fact that John P. Grace of the city of Charleston, who had backed the said H. Leon Larisey in the campaign the summer before, against the Hon. George S. Legare, had switched from the said Larisey and was backing the said Edward W. Hughes; and therefore the said Larisey felt that he stood no chance of election and that he wished revenge on the said John P. Grace, as he felt and as the said John P. Grace had admitted to him time and again he, H. Leon Larisey, had really elected the said John P. Grace mayor of Charleston. That the said John P. Grace hated deponent (R. S. Whaley) worse than a snake, and would rather see any other candidate elected than the said Whaley, and for that reason he, the said Larisey, wished to help deponent all he could. That he had in his possession documentary evidence to prove the said John P. Grace the worst sort of a crook and corruptionist, and that he also had papers showing the said Edward W. Hughes up in a most unfavorable light; and that if said R. S. Whaley would assist him that he would remain in the race and expose the said John P. Grace and E. W. Hughes in every ward in the city of Charleston. That deponent asked the said H. Leon Larisey what was the nature of the assistance that he expected of deponent, and was informed that he wished deponent to put up the necessary assessment charge, viz, $500, with the State executive

committee and give to the said H. Leon Larisey a sum of money (the amount he did not mention), which the said John P. Grace had given to the said Larisey during the campaign for Congress against Legare in order that he would not be under any obligations to the said John P. Grace. Deponent stated to the said Larisey that he was not familiar with that form of politics and could not handle the situation. He was then informed that he would be allowed time to think over the matter. Deponent informed the said Larisey that he expected to return to Columbia that night to open the house of representatives as speaker pro tempore, as the speaker was not feeling well and might not be present at the opening of the house, and that he had consented to be present to open it for him. The said Leon Larisey then stated to deponent that he expected to go to Columbia that night and would see him the next night. Deponent mentioned this occurrence to M. P. Healey a few minutes after it occurred, to E. F. Lowndes in the city of Charleston, and to James A. Hoyt and Christie Benet in the city of Columbia on the following Monday. That deponent returned to Columbia on Sunday night, and the said H. Leon Larisey was seen around the State capitol by him Monday and Monday night. That when he went to his room about 11 o'clock on Monday night after the adjournment of the house of representatives, the said Larisey came to his room, looked in the bathroom and closet, and sat down and asked deponent if he had arrived at a decision. Deponent stated to him then that the matter was not of any interest to him, as he had stated the day previous. The said Leon H. Larisey appeared to be greatly affected and tears rolled down his eyes, and he claimed that it would mean a great deal to him, as he had a wife and two children and an old father to support, and could not afford to make the race unless his expenses were paid, because he said he could not win without the support of the said John P. Grace, and that he did not feel justified in taking the money away from his wife and children, and that he wanted revenge on Grace and Hughes. The said H. Leon Larisey remained in the room with deponent until 2 o'clock, at which time he again begged deponent to reconsider his decision, as he expected to remain over the next day and would see him the next night. Deponent told him then that he would not reconsider and that there was no reason for him to remain over so far as deponent was concerned. The next night, Tuesday night, when the deponent was about to retire, the said H. Leon Larisey came into the deponent's room. He again looked into the closet and bathroom, and then set down and asked deponent if he had reconsidered. Deponent again stated that there was no change in deponent's decision, and he started to argue again and to go over practically the same ground which he had gone over the night previous. At about 2 o'clock the said H. Leon Larisey left with tears in his eyes, stating that he intended to return to Charleston. That to the best of deponent's recollection the said H. Leon Larisey retired from the race on the following Thursday or Friday, coming out in an announcement in favor of Mr. E. W. Hughes, and was his constant traveling companion at all campaign meetings.

That deponent has read the affidavit made by J. W. Moore, in which the following is stated:

"That the second primary for the aforesaid nomination was held in Charleston on Tuesday, April 15, 1913; that he was stationed as a policeman at the polls in ward 3 on Broad Street near Church; that shortly after the polls had opened, that is, between 10 and 11 o'clock in the morning, he saw Richard S. Whaley, a candidate, drive up in an automobile to the curb on Broad Street and call one Max Goldman, who was standing near by, to him. Whaley was alone in the automobile; that he saw the said Whaley put his hand in his pocket and pull therefrom a roll of greenbacks and hand the same to the said Max Goldman."

That deponent submits that the said statement is an unqualified and malicious lie. That deponent has never given the said Max Goldman one penny in his life, and did not speak to the said Max Goldman except in a crowd of men before the polling precinct in ward 1, and then just pleasantly. That there were 40 or 50 men around him at the time, and the chairman of the executive committee, Mr. H. W. Conner, had taken deponent into the poll of ward 1 in order to stop a repeater.

That the said J. W. Moore is a policeman in the city of Charleston, under the control and domination of John P. Grace, mayor of the city of Charleston.

That deponent has read the affidavit filed by George E. Plow, dated October 1, 1913, and filed with the Congressional Election Committee No. 1, in which it is stated as follows:

"That the second primary for the aforesaid nomination was held on Tuesday, April 15, 1913; that he was stationed as policeman before the polls of ward 3; that early in the forenoon, shortly after the polls opened, he saw Richard S. Whaley drive up to the curb on Broad Street near Church, where the said polls were located; that he saw one Max Goldman go to the edge of the curb and talk with Whaley; that he saw the

said Richard S. Whaley put his hand in his pocket, pulled out a large roll of greenbacks, and hand the same to the said Goldman."

That this is an unqualified and malicious lie, as deponent has never given the said Max Goldman a penny in his life; and deponent wishes to repeat the same statement as he made as to the affidavit of J. W. Moore. That the said George E. Plow is a policeman on the police force of Charleston, under the domination of John P. Grace, mayor of Charleston, but resigned from the said force under charges, and this deponent is informed that the charges against the said George E. Plow are for being drunk and disorderly on a suburban car on July 4, 1913, and shooting off his pistol; and that the said George E. Plow was arrested by a rural policeman, and is now trying to be reinstated on the police force.

That deponent has read the statement of John P. Grace in reference to the votes received by deponent in the first primary, in which he asserts that deponent practically got no votes in the first primary in the city of Charleston. Deponent hereto attaches a certified copy of the returns of the executive committee, certified to by H. W. Conner, chairman, and William M. Breuer, secretary, which speak for themselves, showing that deponent received next to the highest vote in the city of Charleston in the first primary.

That deponent has seen in the affidavit of H. Leon Larisey that J. D. Gerald and C. W. Wells, of Clarendon, or their friends, had been promised the postmastership in Manning, and that deponent had promised it also to others, and that promises had been made by deponent of positions in the district. Deponent states that this is absolutely untrue, and that no one can testify to such a statement, as this deponent made no promises of whatsoever nature to anyone of any position in any shape or form, nor did the deponent intimate to anyone directly or indirectly that he would appoint anyone to office if he were elected.

R. S. WHALEY.

Sworn to before me this 29th day of November, 1913.

NATHANIEL B. BARNWELL,
Notary Public for South Carolina.

Returns of first primary election held in Charleston County, Apr. 1, 1913, for Congressman from the first district.

	Hughes.	Padgett.	Peurifoy.	Von Kolnitz.	Whaley.	Not stamped.	Challenged.
Ward 1, clubs 1 and 2	156	0	6	36	101	.....	.....
Ward 2, clubs 1 and 2	62	0	11	40	162	8	4
Ward 3, club 1	95	0	6	15	49	.....	.....
Ward 3, club 2	363	19	39	8	84	.....	.....
Ward 4, clubs 1 and 2	148	3	7	83	122	.....	4
Ward 5, club 1	151	0	4	16	34	.....	.....
Ward 5, club 2	64	0	8	86	79	.....	.....
Ward 6, club 1	47	1	12	77	177	.....	1
Ward 6, club 2	103	1	5	18	22	.....	.....
Ward 7, clubs 1 and 2	112	0	18	56	77	.....	.....
Ward 8, clubs 1 and 2	109	0	15	86	101	.....	.....
Ward 9, club 1	106	1	4	36	37	.....	.....
Ward 9, club 2	143	0	6	43	30	.....	21
Ward 10, club 1	70	0	17	30	73	.....	.....
Ward 10, club 2	173	0	7	55	84	.....	.....
Ward 11, club 1	95	3	8	67	95	.....	.....
Ward 11, club 2	173	0	7	41	91	.....	4
Ward 12, clubs 1 and 2	97	1	8	119	37	.....	.....
St. Philips and St. Michaels	60	0	0	24	23	.....	.....
Mount Pleasant	6	0	21	78	13	.....	.....
Sullivans Island	42	0	4	19	2	.....	.....
Awensdaw	.....	.....	5	21	8	.....	.....
McClellenville	5	2	26	7	16	.....	.....
James Island	4	0	0	3	25	.....	.....
Johns Island	0	0	9	3	17	.....	.....
Wadmalaw Island	3	0	1	4	17	.....	.....
Yonges Island	18	2	9	5	18	.....	.....
Edisto Island	0	0	0	10	17	.....	.....
Adams Run	6	13	7	6	19	.....	.....
Ravenels	2	8	6	1	8	.....	.....
Warrens Cross Roads	1	3	2	1	6	.....	.....
St. Andrews	8	1	7	8	4	.....	.....
Total	2,412	58	276	1,102	1,648	8	34

CHARLESTON, S. C., *April 3, 1913.*

We, the undersigned committee from the executive committee of Charleston County, do hereby certify that we have carefully tabulated the vote for Congressman in the primary of April 1, 1913, in Charleston County and find the result as follows, to wit:

	Votes.
E. W. Hughes received	2,412
J. G. Padgett received	58
John H. Peurifoy received	276
George F. von Kolnitz received	1,102
R. S. Whaley received	1,648
Total vote	5,496

All of which is respectfully submitted.

WM. H. GRIMBALL, *Chairman.*
J. E. SMITH.
DANIEL L. SINKLER.

We hereby certify that the foregoing written on this and on the reverse side of this page is a true and correct copy of the returns of the first primary election held in Charleston County on April 1, 1913, as appears in the official records of the Democratic executive committee for Charleston County.

Given under our hand this 28th day of November, 1913.

H. W. CONNER, *County Chairman.*
B. N. BREUER, *Secretary.*

Returns of second primary election held in Charleston County, Apr. 15, 1913, for Congressman from the first district.

	E. W. Hughes.	R. S. Whaley.	Challenged votes.
Ward 1, clubs 1 and 2	198	151	6
Ward 2, clubs 1 and 2	96	237	3
Ward 3, club 1	84	83	2
Ward 3, club 2	495	57	4
Ward 4, clubs 1 and 2	195	211	2
Ward 5, club 1	214	32	11
Ward 5, club 2	118	168	18
Ward 6, club 1	64	281	8
Ward 6, club 2	110	43	7
Ward 7, clubs 1 and 2	163	156	3
Ward 8, clubs 1 and 2	118	224	13
Ward 9, club 1	110	98	50
Ward 9, club 2	141	84	67
Ward 10, club 1	79	132	3
Ward 10, club 2	198	165	17
Ward 11, club 1	112	213	7
Ward 11, club 2	207	153	7
Ward 12, clubs 1 and 2	125	172	15
St. Philips and St. Michaels	43	31	1
Mount Pleasant	26	91	0
McClellenville	46	36	0
Awensdaw	38	1	0
Sullivans Island	28	26	4
James Island	4	25	0
Johns Island	1	12	0
Wadmalaw Island	3	20	0
Yonges Island	43	33	0
Edisto Island	10	17	0
Adams Run	7	61	0
Ravenels	15	11	0
Warrens X Roads	5	23	0
St. Andrews	9	16	0
Total	3,105	3,063	248

We, the committee on tabulation of Charleston County executive committee beg leave to report we have verified the number of votes as reported and report the result as follows:

	Votes
E. W. Hughes received	3,105
R. S. Whaley received	3,063
Challenged votes cast	248
Total vote cast	6,416

J. E. SMITH, *Chairman*,
MOULTRIE J. CLEMENT,
B. BRINKLEY,
Committee on Tabulation.

APRIL 17, 1913.

We hereby certify that the foregoing, written on this and on the reverse side of this page, is a true and correct copy of the returns of the second primary, held in Charleston County on April 15, 1913, for Congressman for the first district, as appears in the official records of the Democratic executive committee for Charleston County.

Given under our hands this 28th day of November, 1913.

H. W. CONNOR,
County Chairman.
W. N. BRENER,
Secretary.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me M. J. Nolen, who, being duly sworn, says that he is the party mentioned in the affidavit of J. W. Moore and of George E. Plow, hereinafter referred to as "Joe Nolen." That he is 27 years old and was born in the city of Charleston, and is a resident and qualified voter in said city. That he has read the affidavit of J. W. Moore, dated October 1, 1913, and filed with the Congressional Election Committee No. 1, in which appears the following statement:

"He saw the said Max Goldman pay money to one Frank Fosberry, Thomas Burchfield, jr., and to Joe Nolen. That he saw the said Nolen vote three times at the said precinct, namely, precinct 2, and where said Nolen was caught attempting to vote illegally under the name of Ivan Larsen, a qualified voter of the said county and State."

That the said statement of the said J. W. Moore in said affidavit is absolutely false. That the said Max Goldman paid no money to deponent and that deponent did not vote three times in said precinct and did not attempt to vote under the name of Ivan Larsen, nor was he caught attempting so to vote. That the said J. W. Moore was a police officer on duty at said poll whom deponent has known all of his life and who knew deponent, and that said J. W. Moore, being a policeman of the city of Charleston, is under the domination and control of John P. Grace, mayor of the city of Charleston, and deponent can only account for the absurd statement by the said Moore that he was forced to make the same under the lash of the mayor. That he has also read the affidavit of George E. Plow, dated October 1, 1913, and filed with the Congressional Election Committee No. 1, wherein the following stateiment appears:

"He saw the said Goldman pay one Joe Nolen $3 (3 one-dollar bills) for having voted for Whaley; that he saw the said Nolen vote at least three times at said poll throughout the day, one time voting in the name of Ivan Larsen."

That the said statement is absolutely untrue; that deponent supported Whaley because he believed Whaley to be the best man for Congress, and that he was not paid for his vote any sum of money by the said Goldman or by any one else. That deponent voted once at said poll, as he had the legal right to do, and at no time voted or attempted to vote in the name of Ivan Larsen. That the said George E. Plow was at the time of said primary a policeman under Mayor Grace, stationed at said poll, on duty for the purpose of preventing fraud, and that the said Plow was well known to deponent and deponent well known to him. That the said Plow has since the said primary election resigned from the police force under charges of being drunk and for shooting a pistol and was arrested by rural policemen Burton and Nelson the 4th day of July, and was seen by the deponent that day drunk at the Charleston Navy Yard. That deponent is informed and believes that the said George E. Plow is trying to get back his place on the police force.

M. J. NOLEN.

Sworn to before me this 29th day of November, 1913.

[SEAL.]

NATHANIEL B. BARNWELL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston.*

Personally appeared before me, Bernard P. Carey, who, being duly sworn, says that he is a citizen and resident of Charleston, is 44 years old, and has lived in Charleston all of his life; that he is engaged in business as a master plumber and resides and has his place of business at 38 Reid Street; that he has read a copy of the testimony of M. J. Barry as given before the Committee on Elections No. 1 on October 1, 1913, in which the following statement appears:

"Mr. BARRY. Yes, sir. In the first primary I met Bennie Carey one night as I was on my way home. He said he had just had a bottle of beer——

"Mr. FREAR. Does this refer to money used in the primary?

"Mr. BARRY. There was no money at all. He talked to me and asked me to go to Whaley's office with him, and I told him no, that I had already promised von Kolnitz.

"The CHAIRMAN. What did he say about money in Whaley's office, if anything?

"Mr. BARRY. His suggestion was to go down to see Mr. Whaley and he would pay me for going.

"Mr. FREAR. What did he say?

"Mr. BARRY. He told me to go down and see Mr. Whaley. He was trying to get me to vote for Whaley, and naturally I would not go to Whaley's office except to see about money.

"Mr. FREAR. That was your conclusion, was it not?

"Mr. BARRY. That was what he wanted He wanted me to come down to Whaley's office and see him, and he was going to introduce me to Whaley and tell him what I could do in ward 9."

That said statement is untrue and the conversation and incidents as stated therein never in fact took place and deponent did not ask Barry to go to the office of Mr. Whaley with him, nor did he offer to pay him any money to go or for any other purpose.

That deponent was a consistent supporter of Mr. Whaley and of the party represented by him and opposed to the faction and methods of Mayor Grace That deponent served with Mr. Whaley in the State legislature a number of years ago and has ever since then been a close friend and supporter of Mr. Whaley, and that deponent was active and did all he could as a man to further the election of Mr. Whaley, whom he believed and still believes to be eminently fitted to fill the position of Congressman.

That at no time during the campaign did this deponent receive any money from Mr. Whaley, nor did he ever have any conversation with Mr. Whaley with reference to money or to the use of money in the campaign. That of the persons filing affidavits on behalf of Mr. Grace herein, deponent knows that H. F. Hogan is in the employ of the city under Mayor Grace on the police force; that A. F. Dunlap is an employee of the city under Mayor Grace on the police force; that M. J. Barry was an employee of the city on the grass gang when at work this summer; that C. Conklin is in the employ of the city under Mayor Grace on the police force; that Benjamin Ruddock is an employee of the city under Mayor Grace as a street sweeper; that Joseph W. Moore is in the employ of the city under Mayor Grace as a policeman.

BERNARD P. CAREY.

Sworn to before me this 25th day of November, 1913.

[SEAL. NATHANIEL B. BARNWELL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Thomas Young, who, being duly sworn, says that he is a resident of the city of Charleston, county and State of South Carolina. That he is 24 years old and that he has lived in Charleston all of his life, and at present resides at 20 State Street, where he has resided for the past 12 years. That he is a resident and voter of ward 3 in the said city of Charleston; that during the last congressional primary election in which Mr. Richard S. Whaley was a candidate for Congress he voted for the said Richard S. Whaley; that before the primary election he, because of his acquaintanceship with the ward, assisted Mr. Whaley to check on the club rolls the illegal voters who were known as "floaters," so that Mr. Whaley could inform his challengers of the names of the unlawful voters for the purpose of having his challengers object to same if they offered to vote; that deponent knows Frank Fosberry and has known him for several years past; that so far as deponent knows the said Frank Fosberry has no regular work; that deponent has read the affidavit of said Frank Fosberry, dated the 29th day of September, 1913, in which Fosberry states that "he, the said Young, had seen him, the said Fosberry, the evening before at Whaley's headquarters and had offered him between $20 or $30 for his vote at the primary on the day following. * * * That he, the said Young, on the morning referred to, offered him only $10 for his vote, but he protested and

then Young gave him $10, with the remark, 'That will hold you for a while'; that about 3 o'clock on the same day he met the said Young again at the same poll and told him he wanted some more money; that thereupon Young took him to a saloon and bought him a drink and gave him $10 in paper money (ten $1 bills); that about 9 o'clock of the night of the same day he again met Young on the corner of State and Queen Streets, and upon his request for more money, said Young paid him $10 in bills (two fives) for his services as rallier. * * * That the said Thomas Young, as a representative of the interest of Richard S. Whaley and in his presence and at the same place and at the same time paid to Richard T. Fonte, 28 Queen Street, city aforesaid, a sum of money the amount of which he does not know; that the said Young also, at the same place and time, in his presence paid August Montanese, above mentioned, $5 for his help around the polls; that he, the said Young, was about the poll in the ward referred to all that day buying drinks for the fellows; that he had an apparently unlimited supply of funds and spent the same most freely"; all of which deponent declares is false and that there is no foundation for said statements, except that it is true that he did pay $10 for a rallier, whose duty it was to take a carriage provided and go and bring people whose places of business were some considerable distance from the polling place for the purpose of voting; that this money was paid for services rendered from an hour before the polls opened in the morning until the polls closed, in all, about 11 hours' work. And deponent further says that any statements that he spent money to purchase votes, as alleged in the said affidavit, is absolutely false. Deponent further says that he has read the affidavit of D. J. O'Brien, dated 1st of October, 1913, in which the said D. J. O'Brien states that "one Ignatius Donaghue, a worker in behalf of the said R. S. Whaley, told him that one Thomas Young while in the Peoples Building, one of the headquarters for the said Richard S. Whaley, where badges and challenge papers were being distributed, asked where the money was that was to be handled that day, and when he was told that one Jack Lehman was to handle the money became very angry and went back to Mr. R. C. Richardson, another supporter of R. S. Whaley, and told him that if he, the said Young, could not handle the money he would have nothing to do with the election, whereupon Mr. Richardson called Lehman and took the money from him and gave it to the said Young." That deponent does not believe the said Ignatius Donaghue made any such statement, because such statement is absolutely untrue.

Deponent further says that when the badges and challenge papers were being distributed, Ignatius Donaghue was not present. Deponent further says that the father of D. J. O'Brien at the time of this primary election kept a blind tiger at the corner of State and Queen Streets in the city of Charleston, but is now a city employee, the clerk of weights and measures under the administration of Mayor Grace. Deponent further says that he has read the affidavit of George E. Plow (Plough), dated the 1st of October, 1913, in which he states "that he was stationed as a policeman in ward 3 at the polls, that he saw one Thomas Young, wearing a Whaley badge, acting in behalf of Whaley, with a large amount of money, the exact amount to deponent unknown. That he saw the said Young pay money to more than 10 men in front of the polls in said ward 3 for having voted for Whaley," which statement this deponent says is absolutely untrue. That deponent neither had nor paid money in behalf of Mr. Whaley for votes or for any other illegal purpose. Deponent further says that he has read the affidavit of Policeman J. W. Moore, dated 1st October, 1913, in which he says that "he saw one Thomas Young, wearing a Whaley badge and working for Whaley, pay out money to various men who had voted." Deponent says it is true that the deponent was at the polls working in the interests of Mr. Whaley, but that the only work he did at the polls was legitimate work, trying to get his friends and acquaintances to vote for Mr. Whaley, and that he again denies that he paid money to men who had voted. That it was the duty of the said Policeman J. W. Moore as well of Policeman George E. Plow to have arrested deponent if deponent was paying money to people for voting, as the buying of votes is contrary to the laws of the State of South Carolina. Deponent further says that he was an active supporter of Mr. Whaley, but he denies, as above stated, that he purchased votes, and further deponent says that at no time did Mr. Whaley give him money to be used in the campaign, and that at no time did he ever talk to Mr. Whaley on the subject of the use of money. Deponent further says that he has reason to believe that there were quite a large number of names improperly on the club rolls, and it was necessary for him to find out whether this was true or not, and to do that before the election he employed two men to visit the places of residence where the different voters were stated on the club rolls to reside whenever deponent had any reason to suspicion that they did not reside there, and for this canvassing purpose it required money, amounting to, deponent thinks, to about $60; but Mr. Whaley did not furnish this money and knew nothing about it. It was done by his

friends or committee, and it was used for an entirely legitimate purpose and had nothing to do with the election itself, and was done before the election. Deponent repeats that any and all money used by him was done without the knowledge of Mr. Whaley. Deponent further says that he supported Mr. Whaley not at the solicitation of Mr. Whaley, but because of his friendship with a friend of Mr. Whaley, and that he did it without reward or the hope of any reward, and that at no time either before, during, or after the primary did he mention or discuss with Mr. Whaley anything about money at all. Deponent further says that he is a machinist and has been employed in the city of Charleston in Valk & Murdoch's Machine Shops, at the Charleston navy yard, at the Riverside Iron Works, and at Charleston Iron Works and at other places.

THOS. W. YOUNG.

Sworn to before me this 25th day of November, A. D. 1913.

[SEAL.] NATHANIEL B. BARNWELL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared before me Thomas Burchfield, jr., who, being duly sworn, says that he has lived in Charleston all his life and that he is now 29 years of age. That he has read the affidavit of D. J. O'Brien, dated October 1, 1913, in which said D. J. O'Brien stated that "While acting in said capacity as challenger he saw one Thomas Burchfield, jr., qualified voter, approach the ballot box with a $10 bill in the one hand and a ballot scratched for Richard S. Whaley in the other hand saying while the managers swore him in 'To Hell with the party; I got this $10 bill for voting for Whaley, and Max Goldman is my friend.' That he saw Goldman hand the ballot and the $10 bill to Burchfield as he was entering the polls to cast his vote." And deponent Thomas Burchfield swears that said statement is absolutely false and untrue and a lie.

Deponent further states that he has read affidavit of J. W. Moore dated October 1, 1913, in which said J. W. Moore stated "That he saw the said Goldman pass money to Frank Fosberry, Thomas Burchfield, jr., and one Perry after they had voted" and "That he saw the said Max Goldman spending money freely around the said polls buying drinks, etc., and that he saw the said Max Goldman pay money to one Frank Fosberry, Thomas Burchfield, jr., and to Joe Nolan." And deponent swears that said statements are absolutely false, untrue, and lies, both of them.

THOMAS BURCHFIELD, JR.

Sworn to before me this 25th day of November, 1913.

[SEAL.] WM. H. GRIMBALL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me G. E. Heape, who, being duly sworn, says that he has seen and read the affidavit of Samuel D. Barshay, dated the 29th day of September, 1913, in which he is erroneously styled "E. G. Heape," and in which affidavit it is stated that he had offered the said Samuel D. Barshay $300 for the use of his upstairs for the use of the same as headquarters for R. S. Whaley, and that furthermore that he spent money in the place of business of the said Samuel D. Barshay to the extent of $16 in the interest of Mr. Whaley and gave a check for it, which check was unpaid, and that the said check is signed "E. G. Heape (R. S. W.)." Deponent admits that he spent money in the place of business of the said Samuel D. Barshay, which is a blind tiger on King Street in the city of Charleston. Deponent denies, however, that he ever had a conversation with the said R. S. Whaley as to the renting of any place as headquarters for him, and he denies his ever having been authorized by Mr. Whaley in any shape or form to rent such a place or to spend any money in his behalf, and that any money or checks given by him were given and used without the knowledge of the said R. S. Whaley, his consent, or ratification, and was the money and check of the said E. G. Heape. He admits that he was a supporter of the said R. S. Whaley, and whatever he did in the interests of the said R. S. Whaley was done on his own personal account as an interested supporter and not at the suggestion, consent, or ratification of the said R. S. Whaley. That if there is any check in the possession of the said Samuel D. Barshay signed "E. G. Heape (R. S. W.)," the part of the said check with the "R. S. W." on it is a forgery and was never placed on the said check by this deponent.

G. E. HEAPE.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.] WM. H. GRIMBALL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Vincent Font, who, being duly sworn, says that he is a resident and voter of the city and county of Charleston, in the State aforesaid; that he has had read to him a copy of the affidavit made by Frank Fosberry, dated September 29, 1913, and filed with the Election Committee of Congress, in which it is stated by the said Fosberry that one Max Goldman gave the deponent money at Seebeck's store, 55 State Street, the day after the congressional election, and that he had more than $10 after Goldman left him in the said store; that this statement is absolutely false. The said Max Goldman did not give him any money in Seebeck's store, nor did he give money to Richard T. Font or August Montanese, to the best of his knowledge, and he was with those two men that night; that deponent had shown to him the statement in the said affidavit that one O'Keefe paid him $12 for voting in ward 2 along with the said Fosberry; that this statement is absolutely false, as deponent did not vote in ward 2, is not a resident and voter in that ward, and received no money from O'Keefe and was not with Fosberry in ward 2 at any time during the primary election; that deponent has had read to him the statement in the said affidavit of the said Frank Fosberry, in which the said Fosberry states that one Jack Lehman, at precinct 1, ward 3, handed $5 to one Max Goldman, and that the said Goldman gave the same to this deponent. This deponent denies that any such occurrence ever took place; that he was not handed $5 by Max Goldman and Jack Lehman did not hand $5 to Goldman in his presence, and the statement by Mr. Mr. Fosberry is absolutely false.

VINCENT FONT.

Sworn to before me this 28th day of November, 1913.

[SEAL.] WM. H. GRIMBALL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Louis R. Morillo, who, being duly sworn, says that he is a duly qualified voter and resident of the city of Charleston, in the State and county aforesaid, residing at No. 9 Aiken Street, and that he is a machinist, and has been employed as such for the past eight years at Valk & Murdoch's, in the city of Charleston; that he has read the affidavit of H. F. Hogan, dated September 29, 1913, in which appears the following:

"I was in ward 9 and saw the following men handling money all day for Mr. R. S. Whaley in the first primary: Barney Carey, Louis Morillo, Harry Friend, R. Wickert, Bob Hog, and also that Harry Friend and Louis Morillo got $2,000 between them to be used for Mr. Whaley in the first primary."

That the said statements, so far as the same affects this deponent, are false and untrue; that deponent has also read the testimony of the said H. F. Hogan taken before the Committee on Elections on October 1, 1913, in which the following statements appear with reference to this deponent:

"Mr. FREAR. Did you talk with anyone else?

"Mr. HOGAN. Harry Friend told me that Barney Carey and Louis Morillo got $2,000 between them."

* * * * * * *

"Mr. FREAR. Did you see the men spending money in the campaign?

"Mr. HOGAN. Yes, sir; they were handling money all day long.

"Mr. FREAR. Where were these men spending the $2,000, or where were they supposed to spend it?

"Mr. HOGAN. In ward 9 on behalf of Mr. R. S. Whaley."

* * * * * * *

"Mr. FREAR. In regard to the second primary then?

"Mr. HOGAN. Friend, Wickert, Hog, Carey, and Morillo all handled Whaley's money in the first primary. Cox, Mulligan, and Stall handled the campaign funds for Mr. von Kolnitz. Cox, Stall, and Mulligan were experienced politicians, just as I am."

* * * * * * *

"Mr. FREAR. How did you know the men in the first primary were handling Mr. Whaley's money?

"Mr. HOGAN. Because Harry Friend told me.

"Mr. FREAR. Mr. Friend told you?

"Mr. HOGAN. Yes, sir.

"Mr. FREAR. Friend turned on Whaley?
"Mr. HOGAN. No; Whaley turned on Friend."

* * * * * * *

"Carey, Hogg, Wickert, Morillo, and Friend handled the money on the day of the first primary, but how many they paid off I do not know."

Which said statements so far as they charge or are intended to charge that this deponent used money of Mr. Whaley for illegal purposes are untrue. That deponent received no money from Mr. Whaley, nor did he ever speak with Mr. Whaley with reference to the handling of money in said campaign. That deponent was a rallier in the ward in the primary, and as such was engaged in seeing to it that voters came to the polls to vote. That the said Hogan was at that time of the said primary election engaged in business as a blind-tiger keeper, patronized chiefly by negroes, and that since the election the said Hogan has been made a police officer on the police force by Mayor Grace. That deponent has read the testimony of Stephen D. Sargent, taken before the Committee on Elections, in which the following appears:

"Mr. SARGENT. J. A. Reeves said to me that he had received $15 from Louis Morillo for his vote." That deponent does not believe that the said J. A. Reeves made any such statement to the said Sargent, inasmuch as any such statement would be untrue.

That the following statement, to wit—

"The CHAIRMAN. Do you know of any other instance where Mr. Whaley used money?

"Mr. SARGENT. W. A. Thompson told me that he received $20 for his vote.

"Mr. FREAR. Who from?

"Mr. SARGENT. Either from O'Shaughnessy or from Morillo."

is untrue so far as it undertakes to state that this deponent bought the vote of W. A. Thompson.

That deponent has read the joint affidavit of Philip J. Fash and M. J. Barry, dated September 29, 1913, in which the following appears, and has also read the testimony of the said M. J. Barry before the Committee on Elections, in which the same statement is made:

"That on a day about 10 days after the first primary, at the corner of Aiken and Columbus Streets, in front of the store of Philip Fash, one of the deponents, Louis Morillo, having bought a package of tobacco inside, stood outside and started to talk. The deponent, M. J. Barry, started to tease him, saying that O'Shaughnessy would handle all the money in the second primary because Whaley wouldn't trust any of the men than handled it in the first primary after the poor results obtained in the first primary, whereupon Morillo said that he did not know anything about handling money and didn't want to handle it in the first primary anyhow, but Carey forced him to take some money, which he said was $500, and that out of the $500 he had paid $100 for one vote and that the man to whom he had paid it had not even voted for Whaley, but had taken his $100 and gotten in the carriage and driven around all day. The balance of the conversation was of a pleasant nature, in fact the whole of it was of a pleasant nature and in a spirit of banter on one side and embarrassment on the other."

That the entire incident set out in said affidavit is a fabrication and never occurred, and deponent denies that he ever made any such statements as are credited to him in said affidavit, and that he could not have made such statements, as the same would have been untrue.

That he has also read the testimony of the said M. J. Barry in which the said Barry undertakes to relate the same incident, and in which the following appears:

"The CHAIRMAN. You say that Morillo told you that Carey insisted on handling $500 of Mr. Whaley's money?

"Mr. BARRY. Yes, sir.

"The CHAIRMAN. You also interjected in your statement the hour that he had said to you that he had paid one man $100 to vote for Mr. Whaley.

"Mr. BARRY. Yes, sir.

"The CHAIRMAN. That was the same conversation, Mr. Barry?

"Mr. BARRY. Yes, sir.

"The CHAIRMAN. What else did he say to you about paying this man $100 to vote for Mr. Whaley?

"Mr. BARRY. He said this man promised to stay around and work for Mr. Whaley; that he had handed him $100, expecting nothing more than his vote.

"The CHAIRMAN. Who did he tell you the man was that he paid the $100 to?

"Mr. BARRY. I do not know that I want to tell that.

"Mr. GRACE. Give his name.

"Mr. BARRY. Walter Friend.

"Mr. ELDER. The mayor directed this witness to tell the name of the man, and I want to suggest that this is not a matter for them to decide."

* * * * * * *

"The CHAIRMAN. You also interjected in your remarks the statement that Mr. Morillo said that he handled $500 in the campaign. Now, you have accounted for $100 of that amount; what did he say he did with the balance?

"Mr. BARRY. He bought votes around the polls."

And that the said statements are untrue and the conversation therein alleged to have been had with this deponent did not in fact take place. M. J. Barry is a notorious character who has done no work so far as deponent knows for years until recently, since the primary election in April; he was employed by Mayor Grace as a city employee on the grass gang. That the said Barry is an ordinary drunkard, and would not be believed on his oath by anybody who knows him, and is, as this deponent is informed and believes, a deserter from the United States Army.

LOUIS R. MORILLO.

Sworn to before me this 26th day of November, 1913.

NATHANIEL B. BARNWELL,
Notary Public for Charleston County.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Max Goldman, who, being duly sworn, says that he is a resident and voter of the city and county of Charleston, in the State aforesaid. That he has seen the affidavit made by Frank Fosberry, dated the 29th day of September, 1913, in which the following appears:

"That on the day following the primary aforesaid Max Goldman, 182 King Street, in the city aforesaid, a representative of Whaley at the polls the day before, came into the store of A. Seebeck, 55 State Street, and was met by Richard T. Font, Vincent Font, and August Montanese, all of whom had voted for Whaley on the day previous. That the said Font brothers and Montanese before the arrival of Goldman were dead broke and begging for a drink. That after Goldman had come and gone each of them had $10 apiece."

Deponent does not deny that he may have given the said parties a drink, but he denies that he gave them $10 apiece or any sum of money, and the statement to that effect is absolutely untrue. That he has read the following in the said affidavit:

"That in his presence on the same day about the same hour at the same poll, viz, precinct 1, ward 3, in his presence the said Lehman handed $5 to one Max Goldman, 182 King Street, and the said Goldman gave the said $5 to one Vincent Font, who was standing at the poll."

That this is absolutely untrue. Deponent had never received $5 from Jack Lehman, nor did this deponent give $5 to Vincent Font.

That deponent has seen the copy of the affidavit made by George E. Plow, dated 1st of October, 1913, in which the following is stated:

"That the second primary for the aforesaid nomination was held on Tuesday, April 15, 1913; that he was stationed as policeman before the polls of ward 3; that early in the forenoon, shortly after the polls opened, he saw Richard S. Whaley drive up to the curb on Broad Street near Church, where the said polls were located; that he saw one Max Goldman go to the edge of the curb and talk with Whaley; that he saw the said Richard S. Whaley put his hand in his pocket, pulled out a large roll of greenbacks, and hand the same to the said Goldman; that he saw the said Goldman giving out money all day to men who had voted for Whaley; and that he saw the said Goldman pay one Joe Noland $3 (3 one-dollar bills) for having voted for Whaley; that he saw the said Noland vote at least three times at the same poll throughout the day, one time voting in the name of Ivan Larsen.

"GEORGE E. PLOW."

"Sworn to and subscribed before me this 1st day of October, 1913.

[SEAL.] "JOHN I. COSGROVE,
"*Notary Public, South Carolina.*"

That this is an absolute falsehood from beginning to end. That the said Richard S. Whaley has never given the deponent one penny in his life, and that the day of the second primary that deponent spoke to the said Richard S. Whaley only once during the whole day, in front of the polling precinct in ward 1, where there was a crowd of at least 40 or 50 people assembled, and the said Richard S. Whaley was going into the polls with the chairman of the executive committee. That deponent had come over from the polling place in 3 to 1, owing to the fact that there was a row going on over at 1. This was the only time the said Richard S. Whaley spoke to the said deponent

during the said primary election until late at night when the returns were being received. That the deponent denies having given Joe Noland $1 for having voted for the said R. S. Whaley, and this deponent states that to the best of his knowledge the said Noland did not vote three times; and if the said Noland voted three times in the presence of the said George E. Plow, who is a policeman in the city of Charleston and sworn to observe the law in the said city of Charleston, that said George E. Plow should have arrested the said Joe Noland as a repeater.

That he has read a copy of the affidavit of J. W. Moore, dated the 1st of October, 1913, in which the following is stated:

"That the second primary for the aforesaid nomination was held in Charleston on Tuesday, April 15, 1913; that he was stationed as a policeman at the polls in ward 3, on Broad Street near Church; that shortly after the polls had opened—that is, between 10 and 11 o'clock in the morning—he saw Richard S. Whaley, a candidate, drive up in an automobile to the curb on Broad Street and call one Max Goldman, who was standing near by him; Whaley was along in the automobile; that he saw the said Whaley put his hand in his pocket and pull therefrom a roll of greenbacks and hand the same to the said Max Goldman; that he saw the said Max Goldman spending money freely around the said polls, buying drinks, etc., and that he saw the said Max Goldman pay money to one Frank Fosberry, Thomas Burchfield, jr., and to Joe Noland; that he saw the said Noland vote three times at the said precinct, namely, precinct 2, and that the said Noland was caught attempting to vote illegally under the name of Ivan Larsen, a qualified voter for the said county and State.

"J. W. MOORE."

"Sworn to and subscribed before me this 1st day of October, 1913.

[SEAL.] "JOHN I. COSGROVE.

"*Notary Public, South Carolina.*"

That the statement is absolutely false and a lie from beginning to end. That deponent again repeats that he has never received one dollar from the said Richard S. Whaley in his life, and did not speak to the said Richard S. Whaley during the second primary, except before the polling precinct in ward 1, as above set forth.

Deponent denies that he paid one penny to Frank Fosberry, Thomas Burchfield, jr., or Joe Noland. Deponent further affirms that the said J. W. Moore was a policeman under the orders of Mayor Grace, on duty at ward 3 on the day of the second primary, for the purpose of seeing that order was preserved and no illegal voting and purchasing of votes was conducted, and that if he saw these things it was his duty as an officer of the law to have arrested the parties so conducting themselves. That deponent was a watcher and challenger, as provided by law, for the said Richard S. Whaley, and that he and Thomas Young and Jack Lehman were the ones in ward 3 for the purpose of stopping floaters and repeaters from voting.

That deponent has seen a copy of the affidavit made by D. J. O'Brien, dated October 1, 1913, and the deponent states that he never received a penny from the said Richard S. Whaley, nor did he pay money for votes, and that the statement contained in the affidavit by O'Brien is absolutely false and untrue.

That deponent has seen the affidavit of John J. Murphy, dated October 1, 1913, in reference to the fictitious and illegal voting of some man in his presence, and the remark supposed to have been made by him, "I put one over on him," meaning John J. Murphy, who was an active leader of the Hughes forces in ward 3, and this deponent states that it is absolutely untrue; no such occurrence ever took place.

That deponent has read the affidavit of Victor Perry, dated the 30th of September, 1913, in which it is stated that deponent offered one Victor Perry $10 for his vote, which statement deponent states is absolutely false and untrue. Deponent further states that the statement that he pulled out a large roll of money and gave Victor Perry $5 is absolutely untrue.

That deponent has seen the affidavit of G. Farclo, in which it is stated that deponent paid one Louchez Lankford for voting for Mr. Whaley. That deponent denies that he paid Louchez one penny for voting for Whaley, and that any statement to that effect is an absolute falsehood. Deponent further states that at no time did he spend money in Farclo's place during the campaign, or at any time before, in the blind tiger run by the said Farclo for many months before and after the said election. That the said Farclo conducts an illegal whisky establishment on Market Street, known as a "blind tiger," and considered one of the most disreputable and disorderly places in the city of Charleston, where only the lowest type of citizens hang out and drink.

MAX GOLDMAN.

Sworn to before me this 28th day of November, 1913.

[SEAL.] NATHANIEL B. BARNWELL.

Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me, James H. Noland, who, being duly sworn, says that he has been shown a copy of the affidavit made by him on the 30th of September, 1913, and filed by Mayor Grace with the Election Committee No. 1 of the Congress of the United States, in which it is stated that he received $120 from a representative of the Whaley interest. This deponent admits that he had $120 during the entire election period, covering a period of two months, and this money was for the purpose of canvassing, checking up, and searching out ward 12 and the northwestern section of the city. That not a penny of this money was given to him by Richard S. Whaley, nor has the said Richard S. Whaley ever given him a penny in his life, nor was this money for any illegal purpose, and was not used by the said James H. Noland for the purchasing of votes or for any other illegal means in the said primaries. This amount covered both primaries and also the months preceding the primaries. This amount, as this deponent understood, was contributed by the friends of Mr. Whaley for the purpose of having a fair and clean election in the ward. This deponent has also seen a copy of the affidavit made by William Schriver, dated September 30, 1913, in which it is stated that the said William Schriver was paid $15 to vote and work for Whaley in the said primary. This deponent admits that he paid the said William Schriver $15, but not to vote, but to work for the said Richard S. Whaley and to assist this deponent in checking over the lists to prevent repeaters and floaters in the ward from voting and repeating, and that the amount paid to the said William Schriver was for services rendered for at least two weeks or 10 days previous to the said primary.

JAS. H. NOLAND.

Sworn to before me this 28th day of November, 1913.

[SEAL.]

WM. H. GRIMBALL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Conrad P. Churchill, who, being duly sworn, says that he lives at No. 2 Fishburne Street, in the city of Charleston; that he is 73 years old and has lived in the city of Charleston all of his life, and was for 52 years an employee and finally an engineer of the Southern Railway Co. and its predecessors, and is now a pensioner of the Southern Railway Co. in recognition of his services. That he did vote for Hon. R. S. Whaley for Congress, both in the first and second primaries, and did so because he believed Mr. Whaley to be the best man for the position; and he denies and denounces as absolutely untrue the statement made by Darby L. Sanders in an affidavit filed by Mayor Grace that this deponent was paid money by W. J. Leonard, or by anyone else, for his vote in said election.

CONRAD CHURCHILL.

Sworn to before me this 25th day of November, A. D. 1913.

[SEAL.]

WM. H. GRIMBALL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared before me August Rowe, who, being duly sworn, states that he has had read to him a copy of the affidavit of Michael Bazar, dated 29th of September, 1913, in which appears the statement:

"That at the close of the day aforesaid again in his presence the said La Torre paid more than six men about precinct 1, ward 5, $10 apiece; that only one of the said men so receiving the said $10 was known to him, namely, August Rowe, 68 America Street, in the city aforesaid."

And deponent, August Rowe, swears that said statement is absolutely false and untrue and a lie; and that said deponent does not reside in ward 5 at the said poll mentioned in the affidavit of said Michael Bazar, and has not resided in that ward for a period of about three years, and never has voted in ward 5 and did not vote in the said election in ward 5, and that his name never has been on the county club rolls of that ward.

Deponent further states that he has had read to him affidavit of A. W. Reynolds, dated 29th of September, 1913, in which appears the following statement:

"That he, the said Reynolds, was approached by August Rowe, 68 America Street, and offered him $25 if he would vote for Whaley, which he declined."

And deponent states that said statement is absolutely false and untrue and a lie.

AUGUST ROWE.

Sworn to before me this 25th day of November, 1913.

[SEAL.]

WM. H. GRIMBALL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me W. J. Leonard, who, being duly sworn, says that he is deputy sheriff for the county of Charleston; that he is 35 years of age, and was born in Charleston, and has lived in Charleston all of his life; that at the time of the primary election for Congressman in April, 1913, he was general foreman for the Southern Railway Co. in the city of Charleston; that he has read the affidavit of Darby L. Sanders, in which he states that he saw this deponent pay Mr. Conrad Churchill a sum of money for his vote in the first primary in an alley in the city of Charleston; and deponent declares this statement to be absolutely and entirely untrue; that the said Darby L. Sanders is a client of Mayor Grace, and is at the present time largely interested in a suit now pending in the courts.

WM. J. LEONARD.

Sworn to before me this 25th day of November, 1913.

[SEAL.]

WM. H. GRIMBALL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Joseph La Torre, of 42 Marsh Street, in the city and county of Charleston, who, being duly sworn, says that he has read the affidavit of John Aulberry, a copy of which was furnished him, dated the 29th of September, 1913, and filed with Elections Committee No. 1 of the United States Congress, in which it is made to appear that the said Aulberry was paid solely for his vote; that as a matter of fact the said John Aulberry was engaged as a rallier to assist the said deponent in ward 5 on the day of the said election, to bring voters to the poll if necessary, to aid deponent around the poll in the challenging of floaters and repeaters, and any other assistance and aid which the said Joseph La Torre would call on him to do during the hours of the said election, and for said services and time of the said John Aulberry the deponent agreed and did pay him $10; the polls being open from 8 o'clock in the morning until 6 o'clock in the evening, and the said deponent being a challenger for the said R. S. Whaley, a candidate for Congress at the said poll, for the purpose of preventing repeaters and floaters from voting at said poll.

That deponent has read the affidavit of Michael Bazar, in which it is stated as follows:

"That on the day aforesaid (April 1, 1913), he was with John Aulberry, 1 Inspection Street, in the city aforesaid, and that in his presence Joseph La Torre, 5 Inspection Street, wearing a Whaley badge and acting as a representative of the Whaley ticket, paid the said John Aulberry $10 for voting for his candidate, the said R. S. Whaley; that at the close of the day aforesaid, again in his presence, the said La Torre paid more than six men about precinct 1, ward 5, $10 apiece; that only one of the said men so receiving the said $10 was known to him, namely, August Rowe, 68 America Street, in the city aforesaid; that the said La Torre told him he had $600 to carry ward 5 for Whaley and could get $1,000 if necessary."

That so far as the statement in reference to the said Aulberry is concerned this deponent has set forth above for what services the said John Aulberry was paid, and this deponent denies that the said John Aulberry was paid one penny for his vote for the said R. S. Whaley. This deponent furthermore states that the said John Aulberry was employed by the city at that time as a laborer in the sewerage department, and when it became known that the said John Aulberry had worked as a rallier for the said Joseph La Torre he lost his position, and was reinstated before the second primary when he changed from a supporter of the said Whaley to a supporter of the E. W. Hughes, who was the mayor's candidate and for whom Mayor John P. Grace was openly working and advocating, and the said John Aulberry is now an employee of the city of Charleston, subject to the orders of the said Mayor John P. Grace; that this deponent denies so much of the said statement in reference to the payment of men about precinct 1, ward 5, and states that the same is absolutely untrue; and that the statement that deponent paid August Rowe $10 as one of the said men is also absolutely untrue; that so far as the statement that deponent had $600 or any amount of money whatsoever to carry ward 5 for Whaley this deponent states that he did not make any such statement to Michael Bazar or to anyone else and that the statement to that effect by anyone is absolutely untrue; that deponent has never in the world received one penny from R. S. Whaley in any shape or form and that deponent has supported the said R. S. Whaley in numerous elections when he was a candidate for the legislature for the State of South Carolina, and that deponent has acted as challenger in the said ward for the said R. S. Whaley in other elections. That the said Michael Bazar is an employee of the city of Charleston at and

before the said primary, and at the present time the said Michael Bazar is an employee of the city of Charleston as keeper of the city lot on Line Street, subject to the orders of John P. Grace, mayor of the city of Charleston. That the said Michael Bazar has been shown a copy of the affidavit supposed to have been made by him and filed with the congressional Elections Committee No. 1 by John P. Grace, mayor of the city of Charleston, by this deponent, and the said Michael Bazar has stated to this deponent that he was sent for by Mayor Grace to come to his office and that he was carried to the said office by ——— Bresnihan, an employee of the city of Charleston, and subject to the orders of the said John P. Grace, and that the said affidavit supposed to have been signed by him, containing the above statements and allegations about deponent and one August Rowe, was not read to him and he did not read it, as he can not read or write English, and that he was not informed that such statements were in the said affidavit, otherwise he would not have signed it, and that he would have given up his job before he would have signed it with the said allegations in it, and that the said Bazar signed the statement disclaiming the said affidavit on the bottom of a copy of the same shown to him by this deponent, which said statement was witnessed by J. Kalet, W. Bazar, his son, and deponent, which is hereto attached and made a part of this affidavit.

J. La Torre.

Sworn to before me this 25th day of November, 1913.

[seal.] Wm. H. Grimball,
Notary Public for South Carolina.

State of South Carolina, *County of Charleston:*

Personally appeared Michael Bazarr, 12 Laurens Street, city of Charleston, State and county aforesaid, who, being duly sworn, deposes and says that he is a qualified elector of the said county and State; that the first primary for the Democratic nomination from the first district of South Carolina was held in Charleston County on Tuesday, April 1, 1913; that Richard S. Whaley, of the city of Charleston, was a candidate in the primary above mentioned; that on the day aforesaid he was with John Aulberry, 1 Inspection Street, in the city aforesaid, and that in his presence Joseph La Torre, 5 Inspection Street, wearing a Whaley badge and acting as a representative of the Whaley ticket, paid the said John Aulberry $10 for voting for his candidate, the said R. S. Whaley; that at the close of the day aforesaid again in his presence the said La Torre paid more than six men about precinct 1, ward 5, $10 apiece; that only one of the said men so receiving the said $10 was known to him, namely, August Rowe, 68 America Street, in the city aforesaid; that the said La Torre told him he had $600 to carry ward 5 for Whaley, and could get $1,000 if necessary; that the said La Torre had apparently an unlimited supply of funds and spent the same most freely and liberally among the voters on the day of the primary aforesaid.

M. Bazar.

Sworn to and subscribed before me this 29th day of September, 1913.

[seal.] John I. Cosgrove,
Notary Public, South Carolina.

Witness sign:
J. Kalet.
W. Bazar.
J. La Torre.

November 24, 1913.

I, Mickel Bazar, can not write or read English, and I did not make the above statement in regards to Mr. J. Aulberry and also Mr. August Rowe.

M. Bazar.

State of South Carolina, *County of Charleston:*

Personally appeared before me Michael Bazar, of 12 Laurens Street, city of Charleston, county and State aforesaid, who, being duly sworn, says that he has had read to him an affidavit supposed to have been made by him in which it is claimed that John Aulberry was paid $10 by Joseph La Torre for voting for R. S. Whaley in the congressional primary, and that the said Joseph La Torre in his presence paid six other men about precinct 1, ward 5, $10 a piece, one of the said men being August Rowe; that deponent can not read nor write, and that the affidavit supposed to have been made by him with the above statements in it was never read to him, and that he signed the said paper not knowing these statements were in it, and that he never made any such statements; and, furthermore, that he did not say nor did he intend to sign any paper which stated that he knew Joseph La Torre had $600, for, as a matter

of fact, he knew nothing about it; that deponent is the keeper of the city lot on Line Street and was ordered down to the mayor's office and taken there by one Bresnihan, who is also employed by the city, and told to sign the said paper and nothing more would be done with it.

M. BAZAR.

Sworn to before me this 27th day of November, 1913.
[SEAL.]

GEO. H. MOMEIER,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me August Montanese, who, being duly sworn, says that he is a resident and voter in the city and county of Charleston; that he has seen a copy of the affidavit made by Frank Fosberry and filed with Elections Committee No. 1 of the Congress of the United States, in which it is stated that he received $7 a week for his services as a supporter of R. S. Whaley and as a total received $70; and also that one Thomas Young paid him $5 for his help around the poll, and that Max Goldman gave him money in the store of A. Seebeck, along with Richard T. Font and Vincent Font the day after election; and this deponent says that the statements made by Frank Fosberry in the said affidavit are absolutely false and that Fosberry knew when he was making them that they were a lie.

A. MONTANESE.

Sworn to before me this 28th day of November, 1913.
[SEAL.]

NATHANIEL B. BARNWELL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me William H. Grimball, who, being duly sworn, says that he is 27 years of age and a citizen of Charleston, S. C., where he has lived all his life except for his four years at college at Lehigh University, at which institution he graduated in 1906; that he is practicing law in the city of Charleston and is a member of the Democratic executive committee of Charleston County; that he has read a copy of the affidavit of John J. Murphy, dated October 1, 1913, and filed with Elections Committee No. 1 of United States House of Representatives, wherein appears the following statement:

"That one Max Goldman brought up one man to the said poll and voted him illegally and fictitiously for Richard S. Whaley, a candidate for the aforesaid nomination; that he called this fact to the attention of William Grimball, a member of the executive committee, put in the poll to watch the voting, and the said Grimball, in the presence of Jack Lehman, Joseph Moore, James Farrell, and Max Goldman, admitted the illegallity of the vote so cast; that Max Goldman remarked at the time,'I put one over on him'" which statement deponent says is false and absolutely untrue.

Deponent further says that he was placed in one of the polling places in ward 3 during the second primary of the election for Congressman by the chairman of the executive committee; that he remained in the polling place all day; and that no such transaction ever took place.

WM. H. GRIMBALL.

Sworn to and subscribed before me this 28th day of November, 1913.
[SEAL.]

NATHANIEL B. BARNWELL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *Charleston County:*

Personally appeared before me Richard T. Font, who, being duly sworn, says that he has seen a copy of the affidavit made by Frank Fosberry, dated the 29th of September, 1913, and filed with Elections Committee No. 1 of the Congress of the United States, in which there is the following:

"That he was around the polls in the said ward for about four or five hours of the day aforesaid; that the said Thomas Young, as the representative of the interests of Richard S. Whaley, in his presence and at the same place at the same time paid Richard T. Font, 28 Queen Street, city aforesaid, a sum of money the amount of which he does not know. * * * That on the following day of the primary before said Max Goldman, 182 King Street, in the city aforesaid, a representative of Whaley at the polls the day before, came into the store of A. Seebeck, 55 State Street, and was met by Richard T. Font, Vincent Font, and August Montanese, all of whom had voted for Whaley on the previous day. That the said Font brothers and Montanese, before the

arrival of Goldman, were dead broke and begging for a drink. That after Goldman had come and gone each of them had more than $10."

Deponent denies that he received any money from Thomas Young for voting or for any other illegal purpose, and he denies that he received any money from Max Goldman for voting or for any other illegal purpose, and the statement to that effect made by Frank Fosberry is absolutely false. That deponent is a resident and voter in the county of Charleston.

R. T. Font.

Sworn to before me this 28th day of November, 1913.

[SEAL.] Nathaniel B. Barnwell,
Notary Public for South Carolina.

State of South Carolina, *County of Charleston:*

Personally appeared before me Pate Gruber, who, being duly sworn, says that he is a resident of ward 9, Charleston, S. C.; that he is 24 years of age and has been living in said ward all of his life; that he is a flagman for the Atlantic Coast line; that deponent did not vote for anybody at the congressional elections held in April, 1913, when Mr. R. S. Whaley ran for Congress.

That he has read the affidavit of Frank Beylot, dated the 29th day of September, 1913, before Harry L. Wilensky, notary public for South Carolina, in which Frank Beylot states as follows:

"Pate Gruber offered to carry him to another man who would give him an order on Judge J. J. O'Shaughnessy for $15 if he, the said Frank Beylot, would vote for Richard S. Whaley."

And deponent says that said statement is untrue; that he never made any such offer to Frank Beylot, nor did he have any conversation whatsoever with him on the day of the election; that deponent was for a short while in the afternoon around the polls and he did not see Judge O'Shaughnessy there using money or attempting to bribe voters, and he knows nothing about Judge O'Shaughnessy having money and that the statement of the said Frank Beylot is without foundation.

H. Pate Gruber.

Sworn to before me this 29th day of November, A. D. 1913.

[SEAL.] M. Rutledge Rivers,
Notary Public, South Carolina.

State of South Carolina, *County of Charleston:*

Personally appeared before me Charles Munzenmaier, who, being duly sworn, says that he is a resident and voter of ward 9, Charleston, S. C., for the past six years; that he is a clerk at the store of Paul E. Trouche, stationery wholesale establishment; that he voted for Mr. R. S. Whaley at both primaries held in April, 1913; that he has read the copy affidavit of one E. L. Clubb, taken on the 29th day of September, 1913, before Harry L. Wilensky, notary public, the original of which he is informed is on file in Washington, D. C., in which affidavit it is stated—

"That on April 15, 1913, the day of the second congressional primary, Judge J. J. O'Shaughnessy gave him $10 for voting for R. S. Whaley for Congress; that the said Judge J. J. O'Shaugnessy sent one Nicey Munzenmaier to see that the said E. L. Clubb put the ballot for Whaley in the ballot box; that the said E. L. Clubb went to the polls but did not vote, but agreed with Nicey Munzenmaier that he report to to him as having voted O. K.; that the said Nicey Munzenmaier reported to Judge J. J. O'Shaughnessy that the said E. L. Clubb had voted O. K. for Whaley, and thereupon he was handed $10 by the said J. J. O'Shaughnessy, who was one of the cashiers for Whaley in ward 9; and that he, the said E. L. Clubb, gave $2 to the said Nicey Munzenmaier for his part in the deal."

And deponent says that the statements therein contained are lies, and that E. L. Clubb, if he made said statement, is a dirty liar.

Deponent further says that he saw Clubb at the polls, and that Clubb came to him and said to deponent that he, Clubb, had not yet voted, and that he had been offered by the other side $5 for his vote, and that if deponent would get him more than $5 he would not vote with the other side and would give deponent $2 out of the money that deponent would get for him, and that before deponent could say anything to Clubb Willie Wingate, captain of the city chain gang under Mayor Grace, came up and said to Clubb: "If you go to that poll, I'll break your damn neck," and kicked at Clubb, who ran across the street. Deponent did not say anything more to Clubb nor ever saw him any more.

Deponent further says that that is the truth of the whole matter, and that is all that happened between him and Clubb, and all of Clubb's statement about Judge O'Shaughnessy and deponent is absolutely untrue.

CHAS. MUNZENMAIER.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.]

M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Harry Friend, who, being duly sworn, says that he is a resident and voter of ward 9, Charleston, S. C.; that he is 25 years old; that he has been living in said ward all of his life; that he is a boiler maker at the navy yard at Charleston; that he has read the affidavit of H. F. Hogan, in which he states that he handled Von Kolnitz money in the first primary, and that he, deponent, had told the said H. F. Hogan that he had received $300 from Richard S. Whaley to spend in his behalf, also Wickert received $200 to spend in Whaley's behalf; that deponent says that he never told H. F. Hogan any such thing; that he never received $300 or any other amount from Richard S. Whaley to spend in his behalf or for any other purpose, and that it is an absolute falsehood if Hogan or anyone says that deponent said so, and that deponent has never in his life had any money from Mr. Whaley or had any talk with Mr. Whaley about any money or for anyone in his behalf, and any statement made by Hogan or any other witness that deponent was guilty of such conduct was absolutely untrue.

Deponent further says that he was around the polls all day during the election, and at no time did he see Judge O'Shaughnessy using money around the polls, and he would have seen it if any such use had been made of money.

Deponent further says that the statement of Hogan that Harry Friend and Lewis Morella got $2,000 between them to be used in the first primary is an absolute falsehood, and there is no truth in it.

HARRY FRIEND.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.]

M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me H. C. Milligan, who, being duly sworn, says that he is a resident and voter of Charleston, S. C., that he is 34 years old; that he is employed at the Charleston Terminal Co.; that he has been a resident of ward 9 for about 20 years; that he has read the statements of H. F. Hogan; that he, with others, was spending money and buying votes all day long for Whaley in the last congressional primary election held in April, 1913, and deponent says that said statement of Hogan, or any other person that he was engaged in such conduct is absolutely untrue. That the reason why Hogan made this statement against deponent is, in deponent's opinion, as follows: That sometime ago, Hogan was opposed to Mayor Grace politically, during which time Mayor Grace said on the stump that he wouldn't believe Hogan on his oath; that thereafter Mayor Grace and Hogan made a deal whereby Hogan was to give Mayor Grace his political support and Mayor Grace allowed him to run one of the lowest negro dives in the city of Charleston at the corner of Blake and Aiken Streets, in ward 9; that the place was so low that the governor of the State had it raided and closed up, and after this dive was closed up Hogan was placed on the police force, and has now got to do anything Mayor Grace tells him to do or lose his job. And deponent believes that Mayor Grace would tell Hogan or any body else to swear to anything, whether true or false, if he thought it necessary to carry his point.

Deponent says that he was present at the time when Judge O'Shaughnessy handed Barry a dollar bill; that Barry came in drunk into Addison's place and asked O'Shaughnessy for a dollar; I told O'Shaughnessy not to give it to him, and O'Shaughnessy went into his pocket and pulled out some paper money and gave him a dollar of it. O'Shaughnessy had, I guess, thirty or forty dollars. Deponent says that he saw nobody paid off, as alleged, for election debts or votes, and that if anybody had been paid he would have seen it. Deponent knows M. J. Barry, who, besides being under the control of Grace, had deserted from the Navy, and he wouldn't believe him on his oath and he doesn't think anybody else in ward 9 would believe him.

H. C. MILLIGAN.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.]

M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me M. J. Blanche, who, being duly sworn, says that he is a resident and voter of ward 9, city of Charleston; that he is 32 years of age; that he has been living in Charleston all of his life; that he is a switchman in the employ of the Charleston Terminal Co.; that he has read the affidavit of H. F. Hogan, dated the 29th of September, 1913, before John I. Cosgrove, notary public, in which he states that deponent and others handled Von Kolnitz's campaign funds, and deponent says that, so far as he is concerned, the statement is untrue; that deponent was present at the time M. J. Barry borrowed a dollar from Judge O'Shaughnessy; that he has heard the statement of H. C. Milligan to that incident, and the said statement is true.

Deponent further says that he was at the polls during the second primary off and on, and that at no time did he see Judge O'Shaughnessy spending money or buying votes or otherwise using funds there.

M. J. BLANCHE.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.] M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me John J. Barrineau, who, being duly sworn, says that he is a resident and voter of ward 9 in the city of Charleston; that he is 23 years of age; that he is a lineman for the Charleston Consolidated Railway & Lighting Co. and has been for nearly two years, and he was there employed in April, 1913; that in the second congressional primary at which Mr. E. W. Hughes and Mr. R. S. Whaley were candidates for Congress he voted for Mr. Whaley; that he left his work at the usual dinner hour on that day and went to the polls and cast his vote for Mr. Whaley; that his father and deponent were Whaley men and when the other side heard of it, and that father was going to vote for Whaley, they did not put his name on the books at all so he couldn't vote; that deponent voted for Whaley; that deponent's uncle is a special on Mayor Grace's police force, and his uncle and deponent do not get along, and deponent was on one side and his uncle on the other.

I stayed around the polls only long enough to vote, and when I was going from the polls I saw Mr. Steencken there, who was working for Whaley, and the only thing that passed between him and me was that I asked him how things were coming in for Whaley, and he said he thought he was going to have the ward for Whaley; I then left the polls and went to the corner of Wolf and Meeting Streets to catch a car and went back to my work. I did not go back to the polls that day and did not see Mr. Steencken again that day.

I have read copy of an affidavit of Robert Smart, dated the 29th day of September, 1913, taken by John I. Cosgrove, notary public, and I have been told that the affidavit is on file with the Elections Committee in Washington, and I read in the affidavit—

"that at the polls of ward 9 on the same day when he went to cast his vote, he saw Judge J. J. O'Shaughnessy, cashier for Whaley in ward 9, with apparently an unlimited supply of funds, and he saw John Steencken pay J. J. Barrineau, 26 Blake Street, $15 for having voted for the said Whaley."

I have also read a copy of affidavit of T. E. Gleason, dated the 29th day of September, 1913, taken by Harry L. Wilensky, notary public for South Carolina, in which he says that "On April 15, 1913, the day of the second congressional primary, he saw John H. Steencken pay John J. Barrineau $15 for voting for Richard S. Whaley, candidate for Congress," and deponent says that said statements are a lie; and deponent further says that he did not see J. J. O'Shaughnessy at the polls during the short time he was there; that the said John H. Steencken did not pay deponent anything for his vote, and that any statement to that effect is false.

That deponent knows both the said Robert Smart and T. E. Gleason; that the said T. E. Gleason has not done a lick of work to deponent's knowledge for four or five years, and that he is a loafer; and that the said Robert Smart, while at times he is a blacksmith helper, he is most generally on the bum, and that deponent or no one would believe either Gleason or Smart on their oath; and that Gleason spends most of his time in shooting crap and playing cards with boys 13 years old; that deponent is a hard-working person and has not lost a day at his work going on two years.

Deponent further says that some few days before it was reported in the papers that H. F. Hogan was in Washington deponent met H. F. Hogan, otherwise known as "Rumpty Rattles," and Wilensky, who is now meter inspector for the city under Mayor Grace, and Hogan and Wilensky called deponent over to them at the corner of Columbus and Aiken Streets and walked into the store of a man named Fash, which

is a fruit store and barroom in the back of it and is a blind tiger; that when deponent was in the store with Hogan and Wilensky they had a valise filled with papers, and they pulled out a paper and asked deponent if he would sign it; that deponent told them there was nothing doing and said: "I would not sign any paper until I see it." They said it would be all right and to sign it. I told them I was not a countryman and had to see everything before I signed it. They told me the reason why they wanted me to sign it was to find out how much money Whaley gave me, and I told them Whaley had not given me a cent. They said they knew Whaley hadn't given me a cent, but that his men had, and I told them that his men hadn't. I walked off, and they got a little mad about it. They did not say anything, but I saw from their faces they were put out.

Deponent finally repeats that any statement that he was paid $15 or any other amount for voting for Whaley or that he was paid any money in connection with the election of Mr. Whaley is untrue.

J. J. BARRINEAU.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.] M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Ignatius Donaghue, who, being duly sworn, says that he is 26 years of age; that he is a machinist by trade and at present works at Valk & Murdoch Iron Foundry Works, in the city of Charleston; that he is a resident and voter in ward 1 in said city; that he was born in Charleston and has been living here all of his life; that he was a supporter of Mr. Whaley, the present Congressman; that he has read the affidavit of Frank Fosberry, dated the 29th day of September, 1913, taken before John I. Cosgrove, notary public, which affidavit, deponent is informed, is a copy of an affidavit on file with the Elections Committee in Washington, in which affidavit, among other things, he reads: "That the first primary for the Democratic nomination from the first district of South Carolina was held in Charleston County on Tuesday, April 1, 1913; that for five or six weeks prior to this date he, together with Ignatius Donaghue, 38 Tradd Street, and August Montanese, 215 East Bay Street, city aforesaid, as hall keeper, ran a hall in the said city which was used as one of the headquarters of Richard S. Whaley, a candidate for the nomination aforesaid; that he, the said Frank Fosberry, and August Montanese received $7 a week each for the services so rendered, while Ignatius Donaghue was paid $15 a week for his services; that in all he and the said Montanese were paid a total of $70 and Donaghue a total of $75 before the primary aforesaid was held; that for two or three weeks before the said primary whisky and beer and cigars were dispensed without charge each evening to the supporters of the said Richard S. Whaley."

Deponent says that the foregoing statements, if made by Frank Fosberry or anyone else, are absolutely untrue, except as hereinafter explained. Deponent says that he received an injury to his ankle on Friday, February 21, 1913, which laid him up at home for five weeks, or until about March 28, which was about four days before the first primary, during which time deponent was unable to walk about or to attend to any business or other matters whatsoever; that when deponent came from his home near the end of the five weeks that he was laid up, he rented a hall as headquarters for Mr. Whaley which, as above stated, was opened some four days before the first primary: this hall was headquarters for wards 1 and 3, and at this hall persons interested in the election of Mr. Whaley would meet for the purpose of going over the club rolls, checking up same, for the purpose of finding out the names of those who had moved out of the ward or were erroneously placed on the club rolls; that some of the persons interested would be appointed to go to different houses to find out if the people placed on the club rolls as living there did actually stay at the place mentioned; that Frank Fosberry and Montanese were two who were employed for this purpose, and each one was paid $7.50 for the services so rendered as workers for Mr. Whaley; and deponent was paid for taking charge of the hall and superintending the work; that at times refreshments in the nature of a keg of beer and cigars were had at the hall, but at no time in any quantities, nor was any of same used for the purpose of influencing votes, but was used by and among the workers—that is, by those who were already Whaley men; the headquarters were opened as above stated four days before the first primary, and after the first primary at intervals to the day before the second primary, and all during the whole time the headquarters were open not more than $25 worth of beer and cigars, and no other intoxicating liquors, were used; that the second primary took place two weeks after the first primary. Deponent further says that for his services so rendered at the headquarters during the

space of the said two weeks and four days he received for himself about $50, none of which was expended either for influencing voters or any other illegal purpose, but for services actually rendered and time consumed in the interest of Mr. Whaley.

Deponent has also read the affidavit of John J. Murphy, dated the 1st of October, 1913, before John I. Cosgrove, notary public, in which he says that the hall above mentioned was run for several weeks before the first primary as headquarters for Whaley, and that every evening drinks and cigars were dispensed to the followers of Whaley; that the said hall was run by deponent, who said he was paid $15 a week for so working, and that Frank Fosberry as assistant got $7 a week for his work; and deponent says that said affidavit is untrue, except as heretofore stated by deponent.

Deponent further says that he has read the affidavit of one D. J. O'Brien, dated the 1st of October, 1913, before John I. Cosgrove, in which the said D. J. O'Brien says that on April 1, 1913, the day of the first primary, deponent told him that Thomas Young while in the People's Building, one of the headquarters for R. S. Whaley, where the badges and challenge papers were being distributed, asked where the money was that was to be handled that day, and when he was told that one Jack Lehmann was to handle the money, became very angry, and said if he, Young, could not handle the money he would have nothing to do with the election whereupon Lehmann was called and the money taken from him and given to Young; and deponent says that he never made such a statement to D. J. O'Brien, or to any other person; that he knows nothing of any such thing and that he was never present at any place where badges and challenge papers were given out when the said Thomas Young was present, and any statement that deponent either heard or saw any such transaction as stated in the affidavit of D. J. O'Brien is absolutely untrue.

Deponent further says that he has read the affidavit of F. Brandes, dated the 29th day of September, 1913, before J. A. Patla, notary public, in which Brandes says that on the 15th of April, on approaching precinct 1, ward 1, he was met by deponent and that deponent offered to pay him the sum of $15 if he would cast his ballot for Richard S. Whaley, and that said Brandes declined so to do. Deponent says that said statement is absolutely untrue.

Deponent further says that he had no money to buy votes or otherwise influence votes for Mr. Whaley if he had wanted to, and that on the said day of election he not only did not offer Brandes or anyone else $15 for a vote, but that he did not have 15 cents to use for Mr. Whaley. At no time has Mr. Whaley either directly or indirectly asked me for my vote or held out any hope of reward if I voted for him, or speak to me about money or its use, and at no time had I any money nor did I attempt to use money from or for Mr. Whaley for the purpose of getting votes for Mr. Whaley.

I. O. DONAGHUE.

Sworn to before me this 1st day of December, A. D. 1913.

M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me, Frank Fosberry, who, being duly sworn, says that he is a resident and qualified voter of the city of Charleston; that he is 23 years old and resides at 125 Church Street, and has lived in Charleston all of his life; that he has had read to him a copy of the affidavit alleged to have been made by him on September 29, 1913, before John I. Cosgrove, notary public, and witnessed by C. J. Bresnihan, which is filed with the congressional Elections Committee No. 1, in which the following statements appear:

"That the first primary for the Democratic nomination from the first district of South Carolina was held in Charleston County on Tuesday, April 1, 1913; that for five or six weeks prior to this date he, together with Ignatius Donaghue, 38 Tradd Street, and August Montanese, 215 East Bay Street, city aforesaid, as hall keeper, ran a hall in the said city which was used as one of the headquarters of Richard S. Whaley, a candidate for the nomination aforesaid; that he, the said Frank Fosberry, and August Montanese received $7 a week each for the services so rendered, while Ignatius Donaghue was paid $15 a week for his services; that in all he and the said Montanese were paid a total of $70 and Donaghue a total of $75 before the primary aforesaid was held; that for two or three weeks before the said primary whisky and beer and cigars were dispensed without charge each evening to the supporters of the said Richard S. Whaley; that on the morning of April 1 he went to precinct No. 2, ward 3, on State Street, between Queen and Cumberland Streets, and was there met by Thomas Young, of 20 State Street, city aforesaid, who was wearing a Whaley badge and known as rallier for Whaley; that the said Young had seen him, the said

Fosberry, the evening before at Whaley's headquarters and had offered him between $20 and $30 for his vote at the primary on the day following; that the said Young, before the polls opened, distributed a large number of badges among the men congregated around the above-mentioned poll; that the said Young, on the morning referred to, offered him only $10 for his vote, but he protested and then Young gave him $10, with the remark 'that will hold you for awhile'; that about 3 o'clock of the same day he met the said Young again at the same poll, and told him he wanted some more money; that thereupon Young took him over to a saloon and bought him a drink and then and there gave him $10 in paper money (10 one-dollar bills); that about 9 o'clock on the night of the same day he again met Young on the corner of State and Queen Streets and upon his request for more money the said Young paid him $10 in bills (2 fives) for his services as rallier; that he was around the polls of the said ward for about four or five hours of the day aforesaid; that the said Thomas Young as a representative of the interests of Richard S. Whaley in his presence and at the same place at the same time paid Richard T. Fonte, 28 Queen Street, city aforesaid, a sum of money, the amount of which he does not know; that the said Young also at the same place and time in his presence paid August Montanese, above mentioned, $5 for his help around the polls; that the said Young was about the poll in the ward referred to all day buying drinks for the fellows; that he had an apparently unlimited supply of funds and spent the same most freely; that on the day following the primary aforesaid, Max Goldman, 182 King Street, in the city aforesaid, a representative of Whaley at the polls the day before, came into the store of A. Seebeck, on State Street, and was met by Richard T. Fonte, Vincent Fonte, and August Montanese, all of whom had voted for Whaley on the day previous; that the said Fonte brothers and Montanese before the arrival of Goldman were dead broke and begging for a drink; that after Goldman had come and gone each of them had more than $10 apiece.

"That the second primary for the Democratic nomination for Congressman from the first district of South Carolina was held in the county of Charleston on Tuesday, April 15, 1913; that he, the said Frank Fosberry, after having voted in his ward, viz, ward 3, went over to the polling booth of ward 2, corner of King and Broad Streets, in the city aforesaid; that there he was met by Thomas J. O'Keefe, 75 King Street, in the city aforesaid, wearing a Whaley badge and acting as a representative of the Whaley interests, and that the said O'Keefe, with his consent, voted him illegally under a fictitious name at the said poll, the said O'Keefe paying him $12 for so voting; that the said O'Keefe also voted in the same way and at the same time his companion, Vincent Fonte, 28 Queen Street, in the city aforesaid, and that he saw the said O'Keefe pay the said Fonte $12 for so voting.

"That one Jack L. Lehman, 32 Savage Street, in the city aforesaid, in the said second primary and on the day above mentioned, as a representative of Whaley's interests and wearing a Whaley badge, in his presence voted one man, Joseph Nolan by name, three times at the same poll, precinct 1, ward 3, under fictitious names; that in his presence the said Lehman paid the said Nolan $10 each for the first two votes, but that after the third vote Lehman took the said Nolan down an alley in sight of the said Fosberry and passed some bills to the said Nolan, the amount of which could not be ascertained from the distance; that in his presence on the same day and about the same hour at the same poll, namely, precinct 1, ward 3, in his presence the said Lehman handed $5 to one Max Goldman, 182 King Street, and the said Goldman gave the said $5 to one Vincent Fonte, who was standing by the polls."

That the facts and circumstances under which the deponent signed his name to the statement alleged to be his affidavit, if the same is signed by him, are as follows: That on the day on which said affidavit was made deponent had been drinking, and was in an intoxicated condition in the Atlantic Café, on the corner of State and Market Streets, when he was approached by one C. J. Bresnihan, who asked deponent to have a drink, and deponent took two drinks with the said Bresnihan; and then the said Bresnihan invited deponent to go on a joy ride with him in a buggy belonging to the city, which is used by the said C. J. Bresnihan, who is employed by the said city under Mayor Grace, and connected with the street department; that deponent accepted the invitation of the said Bresnihan and got into the buggy, and that his condition at that time was such that he had to be helped out of the café into the buggy and out of the buggy; that the next thing deponent knew was that he had been carried to the office of Mr. Cosgrove, whose office is in the office of Messrs. Logan & Grace, on Broad Street; and deponent denies that he made the statements set out in the said affidavit, and states that the said affidavit had already been partially prepared when he came into the said office, and the same was handed to him, and that he was required to sign the same without its being read over to him, and that the statements contained in said affidavit and stated therein to have been made by him were not in fact made by him, and are untrue; that headquarters had been opened in ward 3, and that this

deponent, together with Ignatius Donaghue and August Montanese, were employed for the purpose of investigating the club rolls and locating fictitious names, and that deponent was a worker and rallier in said ward for Whaley, and did receive pay for his work as stated; all of which was well known to persons in that ward, but deponent denies that he made the statements as to the illegal use of money, and denies specifically the statement therein as to the illegal use of money by Max Goldman, Richard T. Fonte, Vincent Fonte, August Montanese. Jack L. Lehman, or any of the parties named in the said affidavit. That deponent has never received any money whatsoever in any shape or form from Congressman Whaley, nor has he ever at any time had any conversation with Mr. Whaley of any character whatsoever; that this affidavit is made by deponent voluntarily of his own free will, and is a full statement of the truth with reference to the said alleged affidavit of September 29, 1913.

FRANK FOSBERRY.

Sworn to before me this 1st day of December, 1913.

[SEAL.]

ERNEST L. VISANSKA.
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Milton Stall and Frank Cox, who, each being duly sworn, says for himself, that the said Frank Cox is a boilermaker employed at the navy yard, and that the said Milton Stall is a steam fitter and is employed at the navy yard; that the said Milton Stall is 34 years old and has been living in ward 9, Charleston, S. C., all of his life; that the said Frank Cox, in the affidavit hereto attached, has stated his age and residence; that deponents have read copy of the affidavit made by Robert Smart on the 29th of September, 1913, before John I. Cosgrove, notary public, original of which is on file in Washington, as deponents are informed, in which the said Robert Smart states that on the day of the second primary "he was met by Frank Cox and Milton Stall, two representatives of the Whaley ticket and wearing Whaley badges, and that the said Cox and Stall offered him $10 if he would vote and work for Whaley, which he refused," and deponents both say that the said Robert Smart is a liar and that they at no time offered him $10 or any other amount. And deponents further say that they know of their own knowledge that the said Robert Smart is a notorious thief and the deponents both heard him confess that he was a thief in the judicial court of the City of Charleston.

Deponents further say that they have read the copy of the affidavit of Frank Beylot, dated the 29th day of September, 1913, before Harry L. Wilensky, notary public, the original of which, as deponents are informed, is on file in Washington, in which the said Beylot states "that on the 15th day of April, 1913, the day of the first congressional primary, Frank Cox offered to give him $10 if he would vote for Richard S. Whaley, that a little later, Milton Stall also offered him $10 if he would vote for Richard S. Whaley," and that he refused both offers; and deponents say that at the first congressional primary, they were both supporters of Mr. George F. Von Kolnitz and that if the said Beylot means that such offer was made to him on the second congressional primary, then deponent, Frank Cox, that the statement is a dirty lie so far as he is concerned, and that he made the said Beylot no such offer and never offered him any money, nor did deponent even try to get his vote; and deponent, Milton Stall, for himself, says that it is false so far as he is concerned and that he did not attempt to get Beylot's vote nor did he offer him the sum of $10 or any sum whatsoever for same.

MILTON STALL.
FRANK M. COX.

Sworn to before me this 28th day of November, A. D. 1913.

M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Frank Cox, who, being duly sworn, says that he is 27 years of age; that he is a resident and voter of ward 9, Charleston, S. C.; that he was born, raised, and has been living in Charleston all his life; that he supported R. S. Whaley, present Congressman, at the second primary, held April 15, 1913, when he ran against Mr. Hughes; that he has read a copy of an affidavit signed by A. F. Dunlap before Harry L. Wilensky, notary public, on the 29th day of September, 1913, and deponent is informed that the original of the said affidavit has been filed with the Election Committee in Washington, D. C.; that in the said affidavit, deponent has read the following statement:

"The day of the first primary, that several days before the second primary, Frank Cox, who was a worker and challenger at said polls for Richard S. Whaley, the said Frank Cox approached the said A. F. Dunlap and asked him to lighten up on him so that he the said Frank Cox could vote illegal votes for Richard S. Whaley, and that he said Frank Cox see to it that he would get paid and that he the said Frank Cox would collect the money for the said A. F. Dunlap and bring it to him."

And deponent says that the said statement if made by A. F. Dunlap or anybody else is a dirty lie.

Deponent further says that he had no such conversation at any time with the said A. F. Dunlap; deponent further says that since the said affidavit of Dunlap was made and deponent heard that he has seen the said Dunlap and to his face told him that he was a damn liar.

Deponent further says that the said A. F. Dunlap, since this election held in April, has been put on the police force under Mayor Grace and it is deponent's opinion that his job on the police force is the pay for this lie that he has told against deponent.

FRANK M. COX.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.] M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Milton Stall and Frank Cox, who, each being duly sworn, says each for himself that they have read the affidavit of H. F. Hogan, dated the 29th day of September, 1913, before John I. Cosgrove, notary public, in which the said Hogan states that Whaley money was turned over to the said Milton Stall and Frank Cox and that they were spending money and buying votes all day long and each deponent says that so far as he is concerned that said statement is absolutely untrue and false and the deponent, Milton Stall, further says that he has read that part of the said H. F. Hogan's affidavit which reads as follows:

"The working committees were paid off from Milton Stall's house Saturday night after the second primary; some came out grumbling because they didn't give them no more than $10."

And this deponent, Milton Stall, says that such statement is utterly false; that no one was paid off from his house, either the Saturday night alluded to or at any other time, and the whole thing has no truth in fact.

MILTON STALL.
FRANK M. COX.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.] M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me J. J. O'Shaughnessy, who, being duly sworn, says that he is a resident and voter of ward 9, Charleston, S. C., and that he is 47 years old; that he was born in Charleston and has lived here all of his life; that for years he was in the employ of the railroad company, and 11 years ago he was elected ministerial magistrate for the city of Charleston, the term of which office is two years, and that every subsequent election has been retained in office by handsome majorities and that he now holds the said office; that he has always taken an interest in politics and is an independent within the Democratic ranks; that he is and has always been a Democrat, but at all primary elections votes for the man that he wishes to; that in the last mayoralty election for the city of Charleston, at which Mayor Grace was a candidate, he voted and worked for Mayor Grace; that at the next election which came thereafter was that for the sheriff of Charleston County, State, and other county officers, at which election deponent was a strong supporter of Capt. J. Elmore Martin, candidate for sheriff, who has always been fought by Mayor Grace; that the support of Capt. Martin and others who were not supported by Mayor Grace caused the unfriendliness and political differences between deponent and Mayor Grace; that Mayor Grace is vindictive and revengeful and anyone who opposes him subjects himself to his ill will and he will not hesitate to do anything to the injury of such a one.

That deponent has read the alleged statement of Mayor Grace before the congressional election committee, in which Grace pretends to give an interview between himself and myself sometime after the congressional election and to state why I opposed him since his contest for the mayoralty. Among other things, he says that I was bitter, terribly bitter, because he had retained Whaley, a police officer, on the force, when Whaley had arrested me 20 years ago. While it is true that Officer Whaley,

when I was quite a young man, did arrest me on one occasion for some trivial breach of a city ordinance, which cost me $5, I had long since forgotten all about it and bore no feelings against Officer Whaley for same, and I deny most emphatically that I ever asked Mayor Grace to remove Officer Whaley or that I was at all interested in his removal, nor did I ever speak a word with reference to Officer Whaley, and the entire statement relative to my alleged bitter feeling and animosity to Mayor Grace because he retained Officer Whaley is absolutely untrue.

It is also untrue that I had any cause or reason to be repentant about anything that I had said about Mayor Grace, and his statement as to how the interview between himself and myself came about is equally untrue, because at no time had I expressed any desire to make up with Mayor Grace, but this is the truth about the matter. One night after the second congressional primary I received a telephone message at my house, and, answering same, I was told that the person on the other end of the line was the private secretary of the mayor and that the mayor wanted to see me the next day down at his office. Thinking that the mayor wanted to see me about matters pertaining to the city or to my office, I called at his office, and when I went into the mayor's office he shook hands, and we went in and had a little talk appertaining to different matters, the weather, etc. He said, "Well, O'Shaughnessy, we are going to have an investigation in regard to Congressman Whaley's election. I brought you here for the purpose of giving you a chance to extricate yourself, because me and Chief Cantwell have evidence in our possession to put you behind the Federal bars." I said, "What for, Mr. Grace?" He says, "For the part that you played in the congressional campaign; in regard to buying votes and working floaters." I said, "Mr. Grace, I deny it all, emphatically; I never received one cent directly or indirectly or collaterally from Mr. Whaley." He said, "Well, I have the evidence against you; me and Chief Cantwell have worked it up." And at that time he displayed a Whaley ballot, and I saw my handwriting on the back of it, and then I recollected that the election day a man came to me and asked me if his name was on the club roll. I having a copy of said roll in my possession, looked over the same and told him that his name wasn't on it. He then told me that he resided in ward 10, and I took the said ballot and wrote on the back of it "Mr. Simmons" and "Mr. Whaley" in ward 10, so that they would look in the club roll for ward 10 and find out if his name was on the roll, so he could vote. Grace did ask me if I would perjure myself if I was put on the stand, and I told him that I had never perjured myself and did not have anything at this time to do it for. After some further conversation, the interview ended.

Deponent further says that he has read the affidavit of one Philip Fash, dated the 29th day of September, 1913, taken before Harry L. Wilensky, notary public, South Carolina, in which the said Philip Fash, among other things, says:

"The night after the first primary, Judge O'Shaughnessy came into my place of business and got a bottle of beer, and seemed to be very much displeased about something which I asked him and learned by nightly conversation was because Whaley did not carry the election. He opened up in full, and said, 'From to-night on I have got my coat off for Whaley. I did not take much interest in the first primary, but I will handle the mazuma this time, and if I get beat as bad in the second primary I will commit suicide.' "

Deponent says that the said Philip Fash keeps a fruit shop with a blind tiger behind same near deponent's residence, but that it is untrue that he was in his store displeased because Whaley did not carry the first election, for the reason that deponent did not support Whaley on the first election, nor did deponent say anything whatsoever about handling the "mazuma" or money, and least of all did he say anything about committing suicide, for the night after the first primary deponent had not determined that he would support Whaley definitely. Deponent further denies that he referred to the package alluded to in Fash's affidavit by saying that he had $5,000 inside of said package, for the reason that there was no money in said package, but the said package consisted of the two rolls or lists constituting the two clubs in ward 9, the same being copies of the original club rolls or lists. And deponent further says that the said package contained nothing else.

Deponent further says that all of Fash's affidavit relative to deponent's asking about One-legged Barry getting a position, and that he would have nothing to do under this administration, and all references to One-eyed Dunlap and about complaints of fellows hanging around Addison's for one week, waiting to be paid off, and especially about deponent's saying, "Well, everyone was paid off, for I paid them myself," and "had to get $500 more from Whaley, and out of the $500 I paid Addison one hundred and some odd dollars," and all of said testimony of the said Fash relative to the use of $5,000 in the ward and as to the repetition of the conversation and as to the payment in Stall's house and Addison's store, all of said affidavit is false and a frame up for the purpose of putting a stigma on my character because I could not be controlled by the Grace crowd.

Deponent also says that he has read the affidavit of M. J. Barry, dated the 29th of September, 1913, taken before Harry L. Wilensky, notary public, in which a similar statement as that made by Philip Fash is repeated, and deponent declares that the said affidavit is absolutely false so far as the alleged conversations and the use of $5,000 or any money by deponent in the election is concerned. Deponent says that it is true that on the Saturday night following the election he handed to M. J. Barry a one-dollar bill, but under the following circumstances: Barry came into me in Addison's place drunk, in place of several witnesses, namely, H. C. Milligan, W. M. Stall, F. M. Cox, M. J. Blanch, and begged me for the loan of a dollar. Said he had been drinking. I went down in my pocket and pulled out a roll of bills, took off a dollar, and handed it to Barry. That was from my own personal money.

Deponent has also read the statement of Barry that on the day of election, when deponent was in the neighborhood of the poll, he looked at Barry and grinned and held up a large package wrapped in a newspaper and said: "Don't mind the noise; here is the mazuma and it will win to-day." He then went into Barney Cary's house and stayed in there, paying off the voters as they were brought in. All of which this deponent says is absolutely false.

Deponent has also read the affidavit of H. F. Hogan, dated the 29th day of September, 1913, before John I. Cosgrove, notary public, in which Hogan says that Whaley turned over his money to J. J. O'Shaughnessy, Harry Milligan, Milton Stall, and F. M. Cox, who were seen spending money and buying votes all day long by the said H. F. Hogan, all of which said statement, so far as deponent is concerned, he knows of his own knowledge is untrue, and he has been informed by the said Harry Milligan, Wilton Stall, and F. M. Cox is as to them untrue.

That deponent has also read the affidavit of A. W. Reynolds, who is an ex-lottery vender, dated September 29, 1913, before John I. Cosgrove, notary public, in which he says that deponent in his presence paid more than a dozen men in front of poll 1, in ward 9, $10 and $20 for their voting for Whaley: that the said O'Shaughnessy had an unlimited supply of money and spent it most freely in every direction, all of which is absolutely untrue. As above stated, deponent did not use money at the polls that day.

Deponent further says that he has read the affidavit of H. C. Heins, dated the 29th of September, 1913, before Harry L. Wilensky, relative to his buying the vote of Enoch Finklea for $7.50 and J. E. Driggers for $15, and that he had $5,000 to carry ward 9 for Whaley, and that the same is absolutely untrue. That he has also read the affidavit of Robert Smart, in which he says that Judge O'Shaughnessy approached him and offered him $10 if he would vote for Whaley, which said statement is untrue, as well as his statement that deponent was cashier for Whaley in ward 9, and that he had an unlimited supply of funds, all of which is absolutely false.

Deponent further says that none of said witnesses making the affidavits are worthy of credit and that most of them are under the domination and subject to the control of Mayor Grace, and would not only steal a person's character, but swear his life away at Mayor Grace's bidding; that Philip Fash is a blind-tiger keeper and could be shut up by Mayor Grace; that A. W. Reynolds is an ex-lottery vender and a close adherent of Mayor Grace, who has made this false affidavit with the expectation of securing a position under the Grace régime; that M. J. Barry is an employee of the city under Mayor Grace, whose job is dependent upon the good will of Mayor Grace; that H. C. Heins is a stepson of W. E. Wingate, captain of the city chain gang, and under the domination of Mayor Grace; that Robert Smart is a confessed thief, and in my presence and the presence of others he acknowledged committing housebreaking and larceny; that E. L. Clubb is a notorious street vagabond and has been arrested various times for misdemeanors; and H. F. Hogan, formerly a blind-tiger keeper, and now a police officer under Mayor Grace.

Deponent further says that in his opinion, to carry his point, Mayor Grace would not hesitate to force these witnesses and all of them to testify to anything necessary for said purpose or to steal deponent's character.

Deponent further says that he has read the affidavit of one William Singletary, dated the 29th of September, 1913, before Harry L. Wilensky, notary public, relative to his paying different people for votes $15, $25, and $10, and deponent says that the said statements contained in said affidavit are absolutely false and without foundation in fact: that it is well known that the said Singletary is a close political adherent of Mayor Grace and subject to his orders, and would not hesitate to swear to anything to please Mayor Grace, in deponent's opinion.

J. J. O'Shaughnessy.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.]

M. Rutledge Rivers,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me John Steenken, who, being duly sworn, says that he is 52 years old, and has lived in Charleston all of his life; that he is at present superintendent of Bethany Cemetery, a cemetery on the outskirts of the city of Charleston; that he has held that position since October, 1912; that before that time he was second lieutenant on the police force of this city for a period of 12 years and that he lost his place at the time John P. Grace obtained his office and for the reason that he was a pronounced supporter of the candidate who ran against Mayor Grace; that Mayor Grace is generally known as a vindictive, revengeful person, and that he does not hesitate to do anything to a person who has opposed him; that while he was a candidate for his office and while deponent was second lieutenant on the police force he made deponent an offer that it he would support him in his race for mayor he would make him chief of police, and that if he did not support him he need look to him for nothing; that deponent refused the offer, as he did not regard Grace as a fit man for mayor, and as soon as Grace was elected he turned deponent out of office.

That in the congressional primary elections held in April, 1913, deponent was, in the first primary, a supporter of Mr. George F. von Kolnitz; that in the second primary, when Mr. von Kolnitz had been eliminated and the candidates were Mr. Edward W. Hughes, supported by Mayor Grace, and Mr. Richard S. Whaley, the present Congressman, deponent supported Mr. Whaley; that deponent was at the polls in ward 9 during the entire time that the polls were open and working for Mr. Whaley, but he denies positively that he used any money in behalf of Mr. Whaley improperly at all at said polls, or that he did anything else than legitimate work; that deponent has read a copy of the affidavit of one Robert Smart, dated September 29, 1913, before John I. Cosgrove, notary public, on file, as deponent is informed and believes, with the Elections Committee No. 1, in which, among other things, Robert Smart says:

"That at the polls of ward 9 on the same day when he went to cast his vote he saw Judge J. J. O'Shaughnessy, cashier for Whaley in ward 9, with apparently an unlimited supply of funds, and he saw John Steenken pay J. J. Barrineau, 26 Blake Street, $15 for having voted for the said Whaley."

Deponent says that the above statement, if made by Robert Smart, or by any other person, is an absolute and malicious falsehood; that deponent saw Judge J. J. O'Shaughnessy from time to time at the polls, but at no time did he see him with money at said polls, and deponent absolutely denies that he, deponent, was guilty of the misconduct as set forth in the affidavit above referred to, or any other improper conduct.

Deponent further says that he has read a copy of the affidavit of one T. E. Gleason, dated September 29, 1913, before Harry L. Wilensky, notary public, on file, as deponent is informed and believes, with the Elections Committee No. 1, in which, among other things, T. E. Gleason says:

"That on April 15, 1913, the day of the second congressional primary, he saw John H. Steenken pay John J. Barrineau $15 for voting for Richard S. Whaley, candidate for Congress."

Deponent says that said statement is absolutely without foundation and is false.

Deponent further says that he knows the said Robert Smart and T. E. Gleason, and that they are both common, ordinary bums and loafers and crooks, and that no one would believe either of them on oath.

Deponent further says that at no time did he directly, indirectly, or in any manner, form, or shape receive any money, promise of reward, nor had he any hope of reward, for his work for Mr. Whaley, nor at any time has he had any conversation with Mr. Whaley in relation to money, nor was he furnished with money for or on behalf of Mr. Whaley, and that Mr. Whaley has always been friendly personally and politically with deponent, and that he worked as hard as he did for Mr. Whaley because it was generally advertised in the papers in Charleston that if Mr. Hughes was elected, Mr. Grace, who was his chief supporter, would practically be the Congressman, and not Mr. Hughes, for it is well known that if Mr. Grace supports anyone for office he wants to control the office afterwards, and deponent is opposed to anything or anyone whom he would think would be under the control of Grace.

JOHN H. STEENKEN.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.]

M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me Patrick Hanley, who, being duly sworn, says that he is a resident and voter of ward 11 of the city of Charleston; that he is 45 years of age and is at present special agent of the Southern Railway Co.; that during the congressional primary elections held in April, 1913, he was a supporter at the first primary of R. S. Whaley, who is in Congress at present; that he has always been a close political friend and supporter of Sheriff J. Elmore Martin, but that Sheriff Martin on the first primary was a supporter of George F. von Kolnitz; that at the second primary, when Mr. Hughes and Mr. Whaley were the only candidates, deponent again supported Mr. Whaley.

That deponent has read the affidavit of C. Cravat, dated the 29th day of September, 1913, before John I. Cosgrove, notary public, as follows:

"That on the second primary, in ward 11, on April 15, 1913, he was paid $10 by Mr. Patrick Hanley to keep the boys in line and vote for Mr. Whaley."

And that deponent is informed by the said C. Cravat and believes that the said C. Cravat did not knowingly make that affidavit, for the reason that the statements therein contained are absolutely untrue, and he has no reason to believe that C. Cravat would not make an untrue statement.

That the truth of the matter is that on the day of the second primary C. Cravat came to deponent and told deponent that he had voted for Whaley and would like to support and work for Mr. Whaley, but that he could not afford to lose his day, and asked deponent if he would pay him $10 for his day's work as a rallier, which was to go for voters in the vehicles provided and bring them to the polls and work rallying for Whaley; that deponent accepted the services of C. Cravat and paid him $10 for such services, and deponent states that if anyone says he either bought C. Cravat's vote, or anybody else's, it is a falsehood.

Deponent further says that he has at no time talked with Mr. Whaley about money, nor did he ever receive any money, either directly or indirectly, from Mr. Whaley, and that he has been a political and personal friend of Mr. Whaley for twenty-odd years, and that he would again do everything honorable to help Mr. Whaley; that Mr. Whaley's brother is deponent's family physician, and has been extraordinarily kind and attentive to deponent and his family and deponent feels under obligations to him.

Deponent further says that he was at the polls, and that if any money was improperly used for bribing or buying votes on behalf of Mr. Whaley, deponent did not see any such transactions, and in the opinion of deponent the same could not have happened about the polls unless deponent saw same.

Deponent further says that last night he was informed that C. Cravat was hunting for deponent and that deponent met C. Cravat this morning at his office, waiting for him, and C. Cravat said to deponent that he wanted to find out whether or not deponent knew anything about an affidavit that they said that he (Cravat) had made, stating that deponent had bought his vote for $10, but as C. Cravat said, deponent knew that he had not paid him $10 for his vote; that C. Cravat asked deponent if he would straighten it out in some way, because it wasn't true that he had paid him $10 for his vote, and that he (Cravat) wanted it straightened out; whereupon deponent carried the said C. Cravat to the attorney for Mr. Whaley, so that the said C. Cravat could make such statement as he wanted to relative to the matter.

P. HANLEY.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.] M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me C. Crovatt, and made oath that he is a resident and a voter of ward 11, city of Charleston, and that he was present at the polls during the congressional primary election when Mr. Whaley and Mr. Hughes ran against each other for Congress in April, 1913, and that he voted for Mr. Whaley; that some time during the month of September, 1913, one of the men working on the grass gang for the city of Charleston, of which Mr. Grace is mayor, came to him and told him he might as well pick up a job on the gang. After he had been on the gang a short while, Mr. Barry, who is foreman of the gang, came to him and asked him how much he got for his vote for Whaley. He told him he did not get anything for his vote; that Mr. Hanley gave him $10 for his services as a rallier around the polls; that his duties as rallier were to use the vehicles provided by Mr. Whaley to go and bring people who lived at a distance from the polls, and to try and get such friends as he knew in the ward to come to the polls. Deponent further says that he did not himself pay anybody to vote for Mr. Whaley, and Mr. Hanley knew that he had voted for Mr. Whaley,

because he went to Mr. Hanley and told him that he had voted for Mr. Whaley, and that Calder had threatened him, saying, "You voted against us, but never mind, I'll get you." After deponent had voted for Mr. Whaley, Mr. Hanley employed him as a rallier.

Deponent further says that he would not have had the time to be around the polls and work if he had not been paid for his day's work. Some time after this talk with Mr. Barry, a young man came up to deponent with a written paper and asked him to sign it, saying that deponent had received $10 from Mr. Hanley to work for Mr. Whaley. Deponent says that he signed the paper without reading it; that he tried to read it, but can not read very well. Deponent afterwards found out that the paper said he was paid $10 to vote for Mr. Whaley. Deponent further states that he never said any such thing, nor intended to say any such thing, because it is not true. Deponent then went to Mr. Barry and told him that that was a devil of a trick he had played on him by making him sign a paper which was not true, and deponent immediately gave up his job on the grass gang after finding out what had happened and that they were making use of him. Deponent repeats that it is absolutely false that he was paid for his vote, and he says that he intended to vote for Mr. Whaley, and that the only way Mr. Hanley knew that he was going to vote for Mr. Whaley was because he told him himself, but he could not have worked for him without being paid for his services. Deponent further says that he was around the polls from time to time, and that he knows of his own knowledge that Mr. Hanley did not buy any votes, and that he, deponent, did not buy any votes. Deponent further states that when he heard from one of his neighbors that he, deponent, had made an affidavit that he had received $10 for his vote, he immediately went to Mr. Hanley and asked him if he knew anything about his having said that he had received $10 for voting for Mr. Whaley, for Mr. Hanley knew that deponent had not received it for that, and that deponent had come to him to get the matter righted, and Mr. Hanley brought deponent down to Mr. Rivers, who has taken his affidavit.

C. CROVATT.

Sworn to before me this 28th day of November, A. D. 1913.

[SEAL.] M. RUTLEDGE RIVERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me J. Russell Williams, who, being duly sworn, made oath as follows: That he is a resident of Berkeley County, S. C., and lives at Pinopolis, that he is deputy clerk of the court of common pleas for Berkeley County, and also is engaged in business as cotton buyer for the firm of W. B. Ravenel & Co., of Charleston, S. C.; that he is 30 years old and lives in Pinopolis, where he has lived all of his life; that he has read the affidavit of H. Leon Larisey, dated September 30, 1913, in which said H. Leon Larisey made oath as follows:

"That in Berkeley County Mr. Whaley distributed in the second primary, primarily through Russell Williams, but secondarily through many others the sum of $2,900, all for the purposes substantially of buying votes."

Which statement deponent, J. Russell Williams, states is absolutely false and untrue. Deponent further states that he has read the statement of the said H. Leon Larisey in his said affidavit that, "in addition to the money used there was used at every precinct in these counties quantities of whisky, also furnished by Mr. Whaley or his lieutenants in the above manner."

Deponent states that said statement is absolutely false and untrue as to Berkeley County. Deponent states that he had in the campaign for Congress a small fund of money which was sent him by friends of Mr. Whaley to be used for legitimate purposes in the campaign, such as the hiring of buggies to bring voters to the polls who lived at great distances from them, since Berkeley County is a very large county, and that said money was used for legitimate purposes only; that he received no money whatever from Mr. R. S. Whaley, and he never has said a word to Mr. Whaley on the subject of money, and that he interested himself in Mr. Whaley's behalf through friendship for Mr. Whaley and Mr. Whaley's friends.

Deponent further states that he has read the "Exhibit A" concerning Berkeley County attached to the said affidavit of the said H. Leon Larisey, in which deponent's name is mentioned, and that the statements therein contained concerning deponent J. Russell Williams, are absolutely false and untrue. He has read in said Exhibit A the following statements:

"J. W. Brittingham, Moncks Corner, S. C., valuable witness. Will also make affidavit; will testify as to the handling of Whaley money and whisky by Russell Williams, Sheriff Causey, Jim Hill, E. J. Dennis, and others."

That so far as this statement concerns deponent J. Russell Williams same is absolutely false and untrue.

That deponent has read the statement therein that C. P. Ballentine "states that J. Russell Williams handled campaign money for Whaley throughout the entire county." That said statement is absolutely false and untrue.

That deponent has read therein the statement: "Flitcher Grooms, address Ridgeville, S. C., R. F. D., handled money and whisky for Whaley at Hiltons Roads; got it from Russell Williams. P. H. Hissell states that Grooms told him that he would not deny it." That said statement so far as it concerne deponent is absolutely false and untrue.

That said deponent has read therein the statement that Ira Grady "states that Russell Williams openly gave out money and whisky for Berkeley County and that Williams told him he would not deny handling it," and that said statement is absolutely false and untrue.

That said deponent has read therein the statement: "Dave Hill, Moncks Corner, R. F. D., handled Whaley money and whisky at the Lebanon poll, got it from Russell Williams, who dished out the money and managed Whaley's campaign in Berkeley County. Hill will admit this." and that said statement so far as it concerns deponent, J. Russell Williams, is absolutely false and untrue.

That deponent has read therein the statement "W. B. Hill, Ridgeville, S. C., R. F. D., handled Whaley funds and whisky at Cypress poll; got it from Russell Williams, so states P. H. Missell," and that so far as said statement concerns deponent, J. Russell Williams, it is absolutely false and untrue.

That deponent has read therein statement of W. H. Lorenze: "States J. F. Stokes was paid $25 by Russell Williams on first primary," and that said statement is absolutely false and untrue.

That said deponent has read the statement therein "Jessie Murray, Monks Corner, S. C., R. F. D., handled several hundred dollars for Whaley at Bethea and Macedonia and throughout Hell Hole section. Will not deny it, so say Ira Grady and Brittingham. Got the money and whisky from Russell Williams," and that so far as said statement concerns deponent, J. Russell Williams, said statement is absolutely false and untrue.

That said deponent has read therein statement that "J. W. Mims handled Whaley funds, $100 and whisky; got it from Russell Williams," and that said statement is absolutely false and untrue.

That said deponent has read statement "J. F. Stokes, St. Stephens, S. C., does not deny that he was paid $25 by Russell Williams on first primary; told J. M. Wilder and W. H. Lorenze so, and would not deny it when I talked with him about it," and that said statement in so far as it concerns deponent, J. Russell Williams, is absolutely false and untrue.

That said deponent has read statement "Dave Riff, St. Stephens, says that S. Rittenberg handled the Whaley funds for this place; that Russell Williams and Sam Rittenberg, of Charleston, brought it. They gave a big barbecue on the day of the second primary and paid E. D. Jaudon and Primus Russell $25 each to work. They do not deny this; will testify as to methods used. Was present when I talked to Jaudon and Russell, who did not deny handling Whaley money and whisky and being paid well for their work," and that so far as this statement concerns deponent, J. Russell Williams, it is absolutely false and untrue.

That said deponent has read statement therein as follows: "Frank Riley, magistrate, handled money for Whaley all over county; got it from Russell Williams; statement of P. H. Mizzell, Brittingham, Grady, Ballentine, Lorenze, and others, common talk everywhere," and that in so far as said statement concerns deponent, J. Russell Williams, that it is absolutely false and untrue.

That said deponent has read statement there "L. H. Rivers, St. Stephens, S. C., handled money for Whaley all through that section, so say W. H. Lorenze, C. P. Ballentine, J. F. Stokes. Was very sly with it. He and Williams worked a lot together," and that so far as said statement concerns deponent it is absolutely false and untrue.

That deponent has read therein the statement that he will tell the whole truth if he is made to testify; which is so. That he has done nothing illegal; has not purchased votes, and has done nothing of which he is ashamed.

J. Russell Williams.

Sworn to before me this 28th day of November, 1913.

[SEAL.]

Wm. H. Grimball,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Berkeley:*

Before me personally appeared J. W. Brittingham, who on oath says that he has heard read certain statements alleged to have been made by deponent in re contest of the seat in Congress of Congressman R. S. Whaley, and deponent states most positively that each and every of said statements in regard to the use of money and whisky by the friends of Mr. Whaley in his race for Congress are absolutely false, deponent not knowing one single instance in which money or whisky was used by J. Russell Williams, E. J. Dennis, or any other person or persons whatsoever.

J. W. BRITTINGHAM.

Sworn to before me this 26th day of November, 1913.

[SEAL.] J. L. STROHECKER,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me J. M. Wilder, who, being duly sworn, says that he is a resident of Berkeley County, S. C., and that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Election Committee No. 1, House of Representatives, United States, in which the following statement appears:

"J. M. Wilder, St. Stephen, S. C., he is magistrate up there, and, while he is sick and unable to do anything just now, he will assist Lorenze and Ballentine with affidavits regarding their evidence, besides giving some very valuable information himself."

And deponent swears that said statement is absolutely untrue and a falsehood.

Deponent further says that he was a supporter of E. W. Hughes in the campaign for Congress just past and not a supporter of R. S. Whaley.

Deponent will not testify to the statements alleged by Mr. Larisey that he would testify to, as the facts are not within his knowledge, and Mr. H. Leon Larisey was absolutely unauthorized to make any such statement that he could give any testimony on the lines indicated by the said H. Leon Larisey; that this deponent does not know of any instance where money or whisky was illegally used by either Mr. Whaley or his friends.

J. M. WILDER.

Sworn to before me this 29th day of November, 1913.

[SEAL.] J. RUSSELL WILLIAMS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me C. P. Ballentine, who, being duly sworn, says that he is a resident of Berkeley County, S. C., and that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Election Committee No. 1, House of Representatives, United States, in which the following statement appears:

"C. P. Ballentine, St. Stephen, S. C., will testify as to the use of money and whisky by G. Rittenberg, who had charge of Whaley funds for that place; gave E. D. Jaudon $25 and Primus Russell $25. These two were Hughes men until the morning of election, and told Ballentine in presence of H. W. Lorenze and Judge Wilder, Dan Riff, and others that they got it to work for Whaley. (See statement of Lorenze, Riff, Wilder, and Stokes.) States that J. Russell Williams handled campaign money for Whaley throughout entire county."

And deponent swears that said statement is absolutely untrue and a falsehood.

Deponent further says that he was a supporter of E. W. Hughes in the campaign for Congress just past, and not a supporter of R. S. Whaley.

Deponent will not testify to the statements alleged by Mr. Larisey that he would testify to, as the said facts are not within his knowledge, and Mr. H. Leon Larisey was absolutely unauthorized to make any such statement that he could give any testimony on the lines indicated by the said H. Leon Larisey. That this deponent does not know of any instance where money or whisky was illegally used by either Mr. Whaley or his friends.

C. P. BALLENTINE.

Sworn to before me this 29th day of November, 1913.

[SEAL.] J. RUSSELL WILLIAMS,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me Primus Russell, who, being duly sworn, says that he is a resident of Berkeley County, S. C., and that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Election Committee No. 1, House of Representatives, United States, in which the following statement appears:

"Primus Russell, St. Stephen, S. C., does not deny having handled money and whisky for Whaley. He was paid $25 for his work by G. Rittenberg, took big part in barbecue given for Whaley, could not have cost less than $100, so he states."

And deponent swears that said statement is absolutely untrue and a falsehood.

Deponent will not testify to the statements alleged by Mr. Larisey that he would testify to, as the said facts are not within his knowledge, and Mr. H. Leon Larisey was absolutely unauthorized to make any such statement that he could give any testimony on the lines indicated by the said H. Leon Larisey. That this deponent does not know of any instance where money or whisky was illegally used by either Mr. Whaley or his friends.

PRIMUS RUSSELL.

Sworn to before me this 29th day of November, 1913.

[SEAL.] J. RUSSELL WILLIAMS,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me E. D. Jaudon, who, being duly sworn, says that he is a resident of Berkeley County, S. C., and that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Elections Committee No. 1, House of Representatives, United States, in which the following statement appears:

"E. D. Jaudon, St. Stephens, S. C., handled Whaley's funds and whisky and was paid $125 for his work. Information from C. P. Ballentine, W. H. Lorenz, Dave Riff. I was present when Jaudon stated that he worked for Whaley because he was paid well for it and that he would not deny it."

And deponent swears that said statement is absolutely untrue and a falsehood.

Deponent will not testify to the statements alleged by Mr. Larisey that he would testify to, as the said facts are not within his knowledge, and Mr. H. Leon Larisey was absolutely unauthorized to make any such statement that he could give any testimony on the lines indicated by the said H. Leon Larisey. That this deponent does not know of any instance where money or whisky was illegally used by either Mr. Whaley or his friends.

E. D. JAUDON.

Sworn to before me this 29th day of November, 1913.

[SEAL.] J. RUSSELL WILLIAMS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me W. H. Lorenz, who, being duly sworn, says that he is a resident of Berkeley County, S. C.; that he is postmaster at St. Stephens, S. C., and has been postmaster for 18 years; that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Elections Committee No. 1, House of Representatives, United States, in which the following statement appears:

"W. H. Lorenz, St. Stephens, S. C., states that G. Rittenberg handled funds for Whaley at this place, gave big barbecue on day of second primary, gave money and whisky to E. D. Jaudon by Primus Russell, who bought votes and paid them $25 each for their work. Neither of these parties deny it. States J. F. Stokes was paid $25 by Russell Williams on first primary; Stokes does not deny it and promised me more information. Lorenz will testify or make affidavit to many other parties and deals. Will have to see him with Judge Wilder, who is now very sick."

And deponent swears that said statement is absolutely untrue and a falsehood.

Deponent further says that he was a supporter of E. W. Hughes in the campaign for Congress just past, and not a supporter of R. S. Whaley.

Deponent will not testify to the statements alleged by Mr. Larisey that he would testify to, as the said facts are not within his knowledge, and Mr. H. Leon Larisey was absolutely unauthorized to make any such statement that he could give any testimony

on the lines indicated by the said H. Leon Larisey. That this deponent does not know of any instance where money or whisky was illegally used by either Mr. Whaley or his friends.

W. H. LORENZ.

Sworn to before me this 29th day of November, 1913.
[SEAL.] J. RUSSELL WILLIAMS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me L. H. Rivers, who, being duly sworn, says that he is a resident of Berkeley County, S. C., and that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Election Committee No. 1, House of Representatives of the United States, in which the following statement appears:

"L. H. Rivers, St. Stephens, S. C., handled money for Whaley all through that section, so say W. H. Lorenze, C. P. Ballentine, J. F. Stokes. Was very sly with it. He and Williams worked a lot together."

And deponent swears that said statement is absolutely untrue and a falsehood.

Deponent will not testify to the statements alleged by Mr. Larisey that he would testify to, as the said facts are not within his knowledge, and Mr. H. Leon Larisey was absolutely unauthorized to make any such statement that he could give any testimony on the lines indicated by the said H. Leon Larisey. That this deponent does not know of any instance where money or whisky was illegally used either by Mr. Whaley or his friends.

L. H. RIVERS.

Sworn to before me this 29th day of November, 1913.
[SEAL.] J. RUSSELL WILLIAMS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me G. Rittenberg, who, being duly sworn, says that he is a resident of Berkeley County, S. C., and that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Election Committee No. 1, House of Representatives of the United States, in which the following statement appears:

"G. Rittenberg, St. Stephens, S. C., handled Whaley's money, whisky, and barbecue. Paid Jaudon and Russell $25 each for their work. (See other statements about this party and Sam Rittenberg, of Charleston, S. C.)"

And deponent swears that said statement is absolutely untrue and a falsehood.

Deponent will not testify to the statements alleged by Mr. Larisey that he would testify to, as the said facts are not within his knowledge, and Mr. H. Leon Larisey was absolutely unauthorized to make any such statement that he could give any testimony on the lines indicated by the said H. Leon Larisey. That this deponent does not know of any instance where money or whisky was illegally used by either Mr. Whaley or his friends.

G. RITTENBERG.

Sworn to before me this 29th day of November, 1913.
[SEAL.] J. RUSSELL WILLIAMS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me C. M. Whaley, who, being duly sworn, says that he is a resident of Berkeley County, S. C., and that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Election Committee No. 1, House of Representatives, United States, in which the following statement appears:

"C. M. Whaley, R. F. D., Moncks Corner, S. C., handled several hundred dollars; offered M. N. Thornly anything he would name as his price to support Whaley. He worked over the county generally; plenty of evidence as to his work by everybody."

And deponent swears that said statement is absolutely untrue and a falsehood.

Deponent further says that he was a supporter of E. W. Hughes in the campaign for Congress just past and not a supporter of R. S. Whaley.

That this deponent does not know of any instance where money or whisky was illegally used by either Mr. Whaley or his friends.

C. M. WHALEY.

Sworn to before me this 1st day of December, 1913.
[SEAL.] J. RUSSELL WILLIAMS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Berkeley:*

Before me personally appeared J. K. Hill, who, on oath, says that he is a resident of Berkeley County, S. C., and that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Election Committee No. 1, House of Representatives, United States, in which the following statement appears:

"Jim Hill, Huger P. O., S. C., openly bought votes at Bates poll; told Brittingham, Wiggins, and Grady that he had $150 and whisky on the first primary and $300 on the second. He went to Wiggins and Brittingham and asked them what they would give him to throw Whaley down. Wiggins left it to Brittingham to make deal, which he did, on condition that goods be delivered. Hill was badly beaten up for his double cross, and went back to Whaley, openly bought votes for $50 each, so say Thomas and William Noble, Cordesville, S. C., both good witnesses. Hill will not deny anything."

And deponent swears that said statement is absolutely untrue and a falsehood.

Deponent will not testify to the statements alleged by Mr. Larisey that he would testify to, as the said facts are not within his knowledge, and Mr. H. Leon Larisey was absolutely unauthorized to make any such statement that he could give any testimony on the lines indicated by the said H. Leon Larisey. That this deponent does not know of any instance where money or whisky was illegally used by either Mr. Whaley or his friends.

J. K. HILL.

Sworn to before me this 29th day of November, 1913.

[SEAL.] E. J. DENNIS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me J. W. Mims, who, being duly sworn, says that he is a resident of Berkeley County, S. C., and that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Election Committee No. 1, House of Representatives, United States, in which the following statement appears:

"J. W. Mims handled Whaley funds ($100 and whisky); got it from Russell Williams, Wasmasaw poll."

And deponent swears that said statement is absolutely untrue and a falsehood.

That this deponent does not know of any instance where money or whisky was illegally used by either Mr. Whaley or his friends.

J. W. MIMS.

Sworn to before me this 1st day of December, 1913.

[SEAL.] J. RUSSELL WILLIAMS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me Jesse Murray, who, being duly sworn, says that he is a resident of Berkeley County, S. C., and that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Election Committee No. 1, House of Representatives, United States, in which the following statement appears:

"Jesse Murray, Moncks Corner, S. C., R. F. D., handled several hundred dollars for Whaley at Bethe and Macedonia and throughout Hell Hole section. Will not deny it, so say Ira Grady and Brittingham. Got the money and whisky from Russell Williams."

And deponent swears that said statement is absolutely untrue and a falsehood.

Deponent will not testify to the statements alleged by Mr. Larisey that he would testify to, as the said facts are not within his knowledge, and Mr. H. Leon Larisey was absolutely unauthorized to make any such statements that he could give any testimony on the lines indicated by the said H. Leon Larisey. That this deponent does not know of any instance where money or whisky was illegally used by either Mr. Whaley or his friends.

JESSE MURRAY.

Sworn to before me this 1st day of December, 1913.

[SEAL.] J. RUSSELL WILLIAMS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me C. M. Wiggins, who, being duly sworn, says that he is a resident of Berkeley County, S. C., and is the auditor for that county, which office he has held for 16 years; that he has had read to him a copy of the affidavit of H. Leon Larisey, dated September 30, 1913, and the Exhibit A, thereto attached, wherein appears the following statement under the head of "J. Russell Williams.":

"Tells C. M. Wiggins, and Brittingham, Grady, and Lorenze that he will tell the whole truth if he is made to testify. He is a nephew of C. M. Wiggins, our friend, who says that for relationship to him he does not care to testify."

And also the following statement:

"Our friend, C. M. Wiggins, says he does not want to be pulled into it on account of his nephew J. Russell Williams, but Williams will not tell anything but the truth regardless of who it hurts. I promised him (Wiggins) that I would not bring him into it if Williams would testify, so I feel that Berkeley County is O. K."

And that said statements are absolutely false and untrue. Deponent further says that he has never had any such conversation with the said Larisey.

Deponent further states that he was a supporter of E. W. Hughes in the campaign for Congress just passed, and was the manager of the campaign of the said E. W. Hughes in Berkeley County in that campaign. Deponent further states that he does not know of a single instance where either money or whisky was illegally used in the said campaign by either Mr. Whaley or his friends.

C. M. WIGGINS.

Sworn to before me this 29th day of November, 1913.

[SEAL.] J. RUSSELL WILLIAMS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Berkeley County:*

Personally appeared before me R. G. Causey, who, being duly sworn, says that he is a resident of Berkeley County, S. C.; that he is sheriff of said Berkeley County and has been sheriff for nine years; that he has had read to him a copy of the affidavit and Exhibit A, thereto attached, of H. Leon Larisey, dated September 30, 1913, and filed with Election Committee No. 1, House of Representatives, United States, in which the following statement appears:

"Sheriff Causey got $100. Brittingham was present and went with Causey to Bonneaus. Met Ira Grady and discussed the use of the money. Grady backs up Brittingham in this statement. Also says that they bullied Causey about his using the money and shamed him before several others." (See Ira Grady's statement.)

And deponent swears that said statement is absolutely untrue and a falsehood.

That this deponent does not know of any instance where money or whisky was illegally used by either Mr. Whaley or his friends.

R. G. CAUSEY.

Sworn to before me this 29th day of November, 1913.

[SEAL.] J. RUSSELL WILLIAMS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Colleton County:*

Personally appeared before me, J. M. Witsell, who, being duly sworn, says that he is a resident of Colleton County, S. C., and lives in the town of Walterboro; that he is engaged in the mercantile business and is manager of the Farmers' Mercantile & Warehouse Co.; that he has read the affidavit of H. Leon Larisey, dated September 30, 1913, in which H. Leon Larisey made oath as follows: "This deponent makes oath that Mr. Whaley in the second primary distributed, first, in Colleton County, primarily through Mitchell Witsell, but secondarily through many others, the sum of $5,000 for the purpose of buying votes."

Deponent deposes that H. L. Larisey tells a malicious falsehood when he says that deponent distributed $5,000 in Colleton County. Deponent not only says that H. Leon Larisey has sworn falsely, but anyone else who says that deponent spent $5,000 in Mr. Whaley's election for any purpose tells a deliberate lie.

Deponent admits that he used a small amount of money in Mr. Whaley's behalf, the said money having been contributed by his friends and used for the purpose of canvassing, hauling the voters to the polls, advertising, and other purposes which were proper and legitimate. Deponent further swears that he has never received a dollar from Mr. Whaley.

Deponent has known of the said H. L. Larisey for several months and would not believe him under oath.

J. M. WITSELL.

Sworn to before me this 29th day of November, 1913.

C. G. PADGETT,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Colleton:*

Personally appeared Jas. E. Peurifoy and made oath as follows: I am a practicing attorney at Walterboro and am engaged in business also, being president of the following enterprises: Colleton County Telephone Co., Farmers Mercantile & Warehouse Co., Walterboro Cotton Oil Co., and First National Bank. I am also largely interested in farming. I have read the affidavit of H. Leon Larisey with reference to the use of money in the recent congressional primary and also his statement, Exhibit A, as to Colleton County. I am not surprised at the wild statements made. There has never been an election here since I have been interested in the election of officers that the charge has not been made by the losing side that the successful ones bought their offices. As this is the custom, I usually pay little or no attention to such remarks.

This county is split up into two factions and feeling often runs high at each election. Last summer in the race for county and State officers (1912) the lines were closely drawn. The faction opposed to Padgett won. The charge was made at once that money was used, but no one, so far as I know, could bring any proof.

When the congressional race came on, Mr. Larisey came to this county and tried to get support for himself, but both my brother, J. H. Peurifoy and Mr. J. G. Padgett being in the race, of course he could get no encouragement. In the first primary my brother and Mr. Padgett were both eliminated, and the second race was between Mr. Whaley and Mr. Hughes. The factional lines were again drawn and both candidates spent a part of the time in this county. If I remember correctly, Mr. Larisey came here to help Mr. Hughes.

I did what I could for Mr. Whaley. I saw as many of my friends in the county as I could, carried Mr. Whaley to several places in the county to make speeches, and arranged for him to get to other places. I also assisted in getting up his letters and advertising and helped in the distribution of it. I had some of the reading matter published in the Press and Standard, a newspaper published here. The race was perhaps the most exciting ever held in this county and feeling between the factions ran high.

Mr. Whaley was elected. Immediately the wildest rumors were set afloat as to the use of money. This was nothing new. As stated above, I have never known the losing side here to admit that they were defeated fairly. The cry has always been that unfair means were used.

As to Mr. Larisey's statement that Mr. Whaley used $5,000 in this county, that is absolutely absurd. I am informed and believe that a small amount was raised and used for the purpose of hiring teams to get the voters out to the polls. The election was in the spring, when the farmers were very busy with their crops and many of them would not take their stock from the plow in order to go and vote. Many circular letters were printed and distributed and a small amount was used for this and other legitimate purposes. I bought postage and had some printing done, which I paid for with my own funds. So far as I know, Mr. Whaley has spent no money in this county other than for legitimate purposes. Nor do I know of anyone else spending money improperly.

As to his statement and the statement of others of my being one, along with others, who distributed funds for Whaley, this is absolutely and unqualifiedly false. I know of no amount expended except for proper and legitimate purposes, and that was not large. The statements by various persons of what they heard are the wildest conjecture and have no foundation in fact, so far as I am informed and believe.

JAS. E. PEURIFOY.

Sworn to before me this 29th November, 1913.

[L.S.]

C. G. PADGETT,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Colleton County:*

Personally appeared before me A. A. Patterson, who, being duly sworn, made oath as follows: That he is a resident of Colleton County, S. C.; lives in the town of Walterboro, and is now chief of police; that he has read the affidavit of H. Leon Larisey, dated September 30, 1913, and the Exhibit A thereto attached, in which said H. Leon Larisey made oath as follows:

"A. A. Patterson, Walterboro, S. C., was very active all over county; openly handled Whaley funds, and on day of second primary he was at Peeple's poll openly buying votes, and after the votes were counted made an address to the crowd, saying that they were 140 better off by his being there, and that he had been well paid for his work."

Deponent deposes that he was very active in his support of Mr. Whaley all over Colleton County, but that the other part of the statement of H. L. Larisey is absolutely false and untrue. Deponent did make an address to the voters at Peeple's poll, and did so to explain to them why he was supporting Mr. Whaley and why he was the proper man to go to Congress. Deponent never received a dollar from Mr. Whaley to be used in his campaign, nor did deponent receive any money from anyone else to be used in his behalf, but that he supported Mr. Whaley on account of his friendship for his brother, Dr. Whaley.

Deponent has known H. L. Larisey for a long time, knows his reputation for truth and veracity, and would not believe him on oath.

A. A. PATTERSON, Jr. [L. S.]

Sworn to before me this 28th day of September, 1913.

[SEAL.] D. B. PEURIFOY,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Colleton County.*

Personally appeared before me D. B. Peurifoy, Esq., who, being duly sworn, says that he is a lawyer and a resident of Colleton County, S. C.; that he has read the affidavit of H. Leon Larisey, dated September 30, 1913, and also the statement contained in Exhibit A.

Deponent deposes as follows: On Friday, the date mentioned in Exhibit A, deponent was about to leave the Hotel Albert in his automobile, when H. Leon Larisey came up and inquired where deponent was going. Deponent replied that he was going to Ruffin to try a case; the said H. L. Larisey then asked if he could go along with deponent; that he was going to Ruffin to write H. D. Padgett, jr., some insurance, and that if deponent would allow him to go along with him it would be a great favor, and deponent told him that he could go.

On the way to Ruffin the said H. L. Larisey brought up the congressional race, and seemed as if he was trying to draw deponent out on the subject. Deponent having had some previous dealings with the said H. L. Larisey, much to his sorrow, and knowing the character of the man, was very guarded in what he had to say to him, not that he had anything to hide, but for fear that he might put some misconstruction on what deponent might say.

Deponent did state to H. L. Larisey in substance that the reason he had supported Mr. Whaley was, "Not that I loved Whaley much, but that I hated the Padgett's more." Deponent did tell Larisey that his brother did not support his brother John as he should have in the race for Congress, but as to stating that "Money would make some people do anything," and casting aspersions on my brother's name, is absolutely and unqualifiedly false. This was about the substance of the conversation, and the other statements in the affidavit are false and untrue.

Deponent denies that he told H. L. Larisey that it was Whaley's money that changed Colleton County, but deponent told the said Larisey that it was our faction that turned the tide for Whaley. Deponent further denies that he told Larisey that $5,000 had been spent by Whaley in Colleton County, and also denies that he told H. L. Larisey that Mitchel Witsell, Jas. E. Peurifoy, Dr. W. B. Ackerman, and others handled Whaley's funds.

Deponent denies that he did not know what Larisey was after, as stated by him in his affidavit, but as soon as deponent saw him suspected that he was a scavenger, and for that reason was on his guard while talking to him lest he might misconstrue something that deponent might say.

Deponent has known the said H. L. Larisey for several years, much to his regret, has represented him in two cases, and the said Larisey has never paid him for his services.

Deponent has found him anything but honest, a stranger to the truth, and deponent would not believe him on oath.

D. B. PEURIFOY [L. S.].

Sworn to before me this 28th day of November, 1913.

[SEAL.] R. R. MILEY,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Colleton County:*

Personally appeared before me Dr. W. B. Ackerman, who, being duly sworn, made oath as follows: That he is a practicing physician in and is mayor of the town of Walterboro, in the county and State aforesaid; that he has read the affidavit of H. Leon Larisey, and Exhibit A, thereto annexed, in which the said H. Leon Larisey made oath as follows:

"Dr. W. B. Ackerman, Walterboro, S. C., handled Whaley funds very extensively in Colleton County for second primary. He does not deny it. (See statement.) He went with me to my room, No. 12, at the Albert Hotel, Walterboro, Saturday a. m., 14th, and after talking to him a few minutes he stated to me that what I had heard was true; that he had handled Whaley money and that he had no reason to lie about the matter, for he knew that I and many others knew it. I asked him who else handled it, and he stated that Mitchell Witsell, Jas. Peurifoy, A. A. Patterson, and others were the main ones, but that Mitchell Witsell had gotten him to do it. I then asked him for a statement in writing. He said he was an honest man and would testify to all that he had told me, and everything else that he knew; but as to making a written statement at this time that he would prefer seeing his attorney first. He said that he would not lie or perjure himself to save anybody, regardless of the fact that we could easily prove it on him. His home people knew it and if he did not tell the truth they would know that he had perjured himself. I then asked him how much he had handled and from whom he had gotten it. He told me $300 from Mitchell Witsell, and that he had used that and $100 more of his own money. From his talk I feel that Witsell is the main man, as he said that he would not have handled it if it had not been for Witsell, who is a brother-in-law of James Peurifoy."

Deponent deposes that the said statement is a tissue of lies from start to finish. Deponent did have a conversation with the said H. Leon Larisey on or about the date mentioned in Exhibit A at the Albert Hotel, and in said conversation deponent stated to H. L. Larisey that R. S. Whaley spent no money in Colleton County except for proper and legitimate purposes.

Deponent further stated to the said H. L. Larisey that he had been a strong supporter of Mr. Whaley on account of deponent's strong friendship for Mr. Whaley's brother, Dr. E. Prielieu Whaley, deponent having been a classmate of Dr. Whaley at the medical college in Charleston; that in the conversation with the said H. L. Larisey deponent stated to him that he had spent $45 of his own money in Mr. Whaley's campaign, between the two primaries, the said money being used for convassing and for hiring vehicles to carry the voters to the polls on election day. Deponent emphatically denies that he has ever received a dollar of Mr. Whaley's money from Mr. Whaley, Mitchell Witsell, or anyone else to be used in Mr. Whaley's campaign, but what money deponent did use was his own and used for proper and legitimate purposes, and on account of deponent's strong personal friendship for Mr. Whaley's brother. This is the substance of the conversation deponent had with H. L. Larisey, and anything further that H. L. Larisey states that deponent said is absolutely and unqualifiedly false.

Deponent further deposes that he has known the said H. L. Larisey for a long time, and that the said H. L. Larisey has always borne the reputation of being a crook and swindler and willing to do most anything for the dollar. Deponent knows his reputation for truth and veracity and would not believe him on oath.

W. B. ACKERMAN. [L. S.]

Sworn to before me this 28th day of November, 1913.

[SEAL.]

D. B. PEURIFOY,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Charleston:*

Personally appeared before me William J. H. Brandt, who, being duly sworn, says that he is a resident and qualified voter in the city of Charleston, where he has resided for 30 years, and he is and has been for the past 20 years engaged in business as a grocer at the corner of Drake and Amherst Streets. in ward 9, in said city; that he has read a copy of the testimony of M. J. Barry given before the congressional Election Committee No. 1 in October, 1913, in which the following appears:

"The CHAIRMAN. Well, tell us of any other transaction relative to the improper use of money down there in either one of the primaries.

"Mr. BARRY. There is a lot of stuff I can tell you, because I am pretty well known in ward 9. I have lived there for 34 years, and I know every legal voter in ward 9.

"Mr. FREAR. That does not answer the chairman's question.

"Mr. BARRY. A shopkeeper in ward 9——

"The CHAIRMAN (interposing). What is his name?

"Mr. BARRY. William Brandt. He told me after the second primary that O'Shaughnessy came to him and tried to get him to take $10 for supporting Whaley, and Brandt told him he did not want any money for supporting Whaley, and that he might give it to some others who were in need of it."

And deponent states that the foregoing statement is absolutely and unqualifiedly false, and that the whole incident is a fabrication from beginning to end. Deponent did not see Mr. O'Shaughnessy on the day of the second primary, nor did the said O'Shaughnessy or anyone else make any effort to induce this deponent to sell his vote for Mr. Whaley for $10 or for any other sum either on the day of the second primary or at any other time prior or subsequent thereto. That deponent voted for the Hon. George F. von Kolnitz in the first primary, and in the second primary voted for Mr. Whaley, as did a large number of those who had supported Mr. von Kolnitz in the first primary, and that deponent voted for Mr. Whaley because he believed him to be the best man in the race in the second primary, and did so without reward or hope of reward.

Deponent has also read a copy of the affidavit of William Singletary, dated September 29, 1913, which has been filed with the congressional Elections Committee No. 1. Deponent says he is acquainted with the said Singletary, and knows him to be an addlepated young boy, who is not 21 years of age.

W. J. H. BRANDT.

Sworn to before me this 3d day of December, 1913.

[SEAL.]

NATHANIEL B. BARNWELL,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *Clarendon County:*

Personally appeared before me L. M. Jones, who, being duly sworn, says that he is a resident of Alcolu, Clarendon County, S. C., and has lived there continuously for the past 10 years, who avers that he has read statement made by one H. Leon Larisey concerning the conduct of the campaign of the Hon. Richard S. Whaley, in which he states: "L. M. Jones, postmaster at Alcolu, S. C., handled Whaley money; was given it by Dr. Dick, Walter Logan, and Ben Harvin. He denies this, but can be made to tell the truth. He worked it with J. B. Perry. He was very quick to offer me information as to the people who handled Hughes money and said that anybody could get it from either side that wanted it; lots of it in evidence; told B. B. Berry so, too," and that said statement is absolutely untrue. He further states that he has had no conversation with H. Leon Larisey, and that deponent has never used 1 cent in any election whatever, directly or indirectly, anything to the contrary being absolutely false and without a shadow of a foundation.

Deponent further states that his support of Mr. Whaley was purely patriotic, believing his long legislative experience rendered him the best equipped man offering. Deponent further states that he was a member of the State convention of 1912 and voted for Whaley as a member of the Baltimore convention for like reasons.

L. M. JONES.

Sworn to before me this 29th day of November, 1913.

[SEAL.]

CHAS. D. MILLER,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Sumter:*

Personally appeared before me Mr. John J. Nettles, who, being duly sworn, says that he is a citizen of Clarendon County and that he has read the deposition of one H. Leon Larisey, in which he states that "J. J. Nettles, Alcolu, S. C., handled Whaley funds through Dr. Dick, Ben Harvin, Walter Logan." Deponent states that this is false. "States to me that the night before the campaign meeting in Manning that Dr. Dick, Ben Harvin, and Walter Logan came to him at Alcolu and offered him money to work for Whaley." Deponent says this is also absolutely false. Deponent did work for Mr. Whaley's election, but everything that deponent did was done legitimately, publicly, openly. Anything to the contrary is untrue.

JNO. J. NETTLES.

Sworn to before me at Sumter, S. C., this 1st day of December, A. D. 1913.

[SEAL.]

THOS. E. RICHARDSON,
Judge of Probate.

STATE OF SOUTH CAROLINA, *County of Sumter:*

Personally appeared before me J. H. Timmons, who, being duly sworn, states that he is a citizen of Clarendon County, S. C., and that he has read the sworn allegations of one H. Leon Larisey concerning the campaign and election of the Hon. R. S. Whaley, in which he states that deponent "admits everything that I have heard to be true," etc. This, deponent states, is absolutely false.

He, Larisey, further makes statement about deponent handling and spending Whaley money. This is untrue. I used some funds of my own for expenses, legitimate expenses connected with the campaign, for deponent did do all he could for the election of Mr. Whaley, feeling that our State was making no mistake in sending as one of her Representatives a man who stands out in such bold relief from every quarter of the Commonwealth as the personification of honesty, integrity, and all that will redound to the dignity and honor of her good name.

J. H. TIMMONS.

Sworn to before me this 1st day of December, A. D. 1913, at Sumter, S. C.

[SEAL.] THOS. E. RICHARDSON,
Judge of Probate.

STATE OF SOUTH CAROLINA, *County of Sumter:*

Personally appeared before me J. B. Brogdon, who, being duly sworn, states that he is a citizen of Clarendon County, S. C., and that he has read the sworn statement of one H. Leon Larisey, in which he states that "J. B. Brogdon, Harvin, S. C., handled Whaley funds and whisky at the Fork Box, so states B. B. Berry, J. M. Windham, judge of probate, J. H. Timmons, exclerk of court, and others." Deponent denounces such statements as absolutely false.

JNO. B. BROGDON.

Sworn to before me at Sumter, S. C., this 1st day of December, A. D. 1913.

[SEAL.] THOS. E. RICHARDSON,
Judge of Probate.

STATE OF SOUTH CAROLINA, *Clarendon County:*

Personally appeared before me J. J. Nettles, who, being duly sworn, says that the statement made by one H. Leon Larisey concerning the campaign of Mr. Whaley is absolutely false and without foundation. Deponent further states that he used no money or anything else in any shape or form in furthering Mr. Whaley's campaign, but his support of Mr. Whaley was simply because he considered him the best fitted man for the place.

J. J. NETTLES.

Sworn to before me this 29th day of November, 1913.

[SEAL.] L. M. JONES,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Clarendon:*

Personally came before me, a notary public for the State of South Carolina, O. C. Scarborough, and swears that he is a citizen of Summerton, Clarendon County and State of South Carolina, and that he has known Richard S. Whaley, of Charleston, S. C., for 10 years or more, and that when Mr. Whaley was speaker of the house of representatives, he (Scarborough) was a representative in that body from Clarendon; that he has known Mr. Richard S. Whaley intimately and holds him in highest esteem; and in reference to the affidavit of one Leon Larisey, made on September 30, 1913, in Washington, D. C., in which affidavit Larisey swears that I made certain statements with reference to the improper use of money for Richard S. Whaley during the campaign in which the said Richard S. Whaley was a candidate for Congress in the first congressional district, of which Clarendon County is a part; that as far as the said statement or affidavit refers to me it is untrue and a deliberate falsification of the facts, and moreover, I wish to state that I would not believe the said Leon Larisey on his oath.

O. C. SCARBOROUGH.

Sworn to before me this 29th day of November, 1913.

[SEAL.] ELLISON CAPERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Clarendon:*

Personally appeared before me A. C. Bradham, who, being duly sworn, made oath as follows: That he is a resident of the county of Clarendon, State of South Carolina, and lives at Manning and is mayor of said town; that he has read the affidavit of H. Leon Larisey, dated September 30, 1913, in which said H. Leon Larisey made oath as follows:

"A. C. Bradham, mayor of Manning, first for Von K., promised me and others to support Hughes in second primary, but he worked harder for Whaley than he did for Von K.; kept hanging off until Whaley came here to see him and his father, D. M. Bradham, who went to Sumter to see Whaley and Dr. Dick; made the post-office deal for another son, H. H. Bradham, and they all got hot for Whaley and used money. Can't get much evidence as to money, but it is common talk as to post-office promise, and H. H. Bradham has since been appointed, regardless of petition of others who claimed promise also. See Gerald's statement; also Wells's."

As to the statement in quotation, A. C. Bradham states that he is 36 years old, has lived in Clarendon County all of his life, and has been mayor of Manning for four years and still holds that office; that he has not spoken to Larisey since he ran against Legare for Congress four years ago; that he never met Dr. Dick until November 6 at the K. of P. banquet held at Manning, S. C.; that at no time did he ever promise any one to work and support Hughes in the second primary; that he did work for Whaley, still he did not use any money to forward Whaley's interest and that he has never heard of any post-office appointment being promised to his brother, H. H. Bradham; that the statements made by Larisey are, as a whole, with the exception of those facts which have above been admitted, are absolutely false and untrue.

A. C. BRADHAM.

Sworn to before me this 29th day of November, A. D. 1913.

[SEAL.] J. W. WIDEMAN,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Clarendon.*

Personally appeared before me D. M. Bradham, who, being duly sworn, made oath as follows: D. M. Bradham, Manning, S. C., father of A. C., the major, and H. H., then postmaster, led strong fight for Whaley and used money after promising to support Hughes in the second primary. He went to Sumter to meet Whaley and Dick, and it was commonly talked that he had made post-office deal, and circumstances since prove that he did, as H. H. Bradham was appointed without petition, regardless of the fact that Wells and Gerald had strong petition, and each claim that they were led to believe they would get the job. See Gerald's and Wells's statement.

That he was for 14 years mayor of the city of Manning, having lived in Clarendon County all of his life, is now a member of the State executive committee and president of the largest club in Clarendon County; that it is true that he worked to promote the election of Whaley, but certainly did not use any money to forward Whaley's interest; that so far as to the statement that he went to Sumter to meet Whaley and Dick as stated by Larisey in his affidavit, it is absolutely false and untrue; that he has never met Dr. Dick, and Dr. Dick or Mr. Whaley have never held out any promise of a post-office position being given to his son, H. H. Bradham.

With reference to Larisey's statement that he promised to support Hughes in the second primary, this statement is absolutely false, as he has not spoken to Larisey in four years.

D. M. BRADHAM.

Sworn to before me this 29th day of November, A. D. 1913.

[SEAL.] J. W. WIDEMAN,
Notary Public for South Carolina.

Personally appeared before me Dr. George W. Dick, who, being duly sworn, states that he is a resident and has been a resident of Sumter County all of his life, and that he has read the statements made by one H. Leon Larisey concerning the campaign and election of Hon. R. S. Whaley, of the first congressional district of South Carolina. Deponent states that all of the accusations and insinuations made in said statement, directly or by innuendo, are absolutely misleading; that deponent has never, under any circumstances, used money illegitimately in any election, State or Federal, personal or otherwise. Deponent did use some funds in the Whaley campaign, but these were funds of his own. Deponent has been a member of the South Carolina House of Representatives for about eight years, and that when he first entered that body Mr. Whaley was opposed in his first election as speaker, and that deponent sup-

ported that opponent. But Mr. Whaley, with his natural instincts of refined magnanimity, subsequently placed deponent on the most important committee, and that deponent attributes his present position as chairman of the ways and means committee as coming primarily and directly from that action. Deponent, therefore, from a sense of gratitude, did all he could through his friends in the adjoining county for Mr. Whaley, whom he regards as a legislator of no ordinary ability and a man of sterling worth, honesty, and integrity and in every acceptation a gentleman.

Deponent does not know H. Leon Larisey except by reputation, but on account of the nature of said reputation and assertions made in his sworn statement deponent is forced to state that he could not believe Mr. Larisey under any circumstances, on any subject, on any occasion connected with life or death, the present or the hereafter.

GEO. W. DICK.

Sworn to before me this 29th day of November, 1913.

[SEAL.]

D. R. MCCALLUM,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Clarendon:*

Personally appeared before me J. A. Weinberg, who, being duly sworn, says that he is a resident of the town of Manning, in the county of Clarendon, State of South Carolina; that in the second primary for the purpose of nominating a Congressman from the first district of South Carolina, held on April 15 last, he voted for R. S. Whaley. Deponent further says that any statement to the effect that Whaley gave him $200 to use in his behalf or that anyone gave him any money to use in Whaley's behalf is untrue and absolutely false.

Deponent did not give R. Fleet Du Bose a cent of money to use in behalf of Whaley, and, further, deponent has been to Edward Gamble, from whom the statement is attributed that he heard Fleet Du Bose say that Weinberg had given him $200 of money to use for Whaley, and the said Edward Gamble says that the said statement is absolutely false and that he made use of no such expression and does not know or have any information of a single dollar being used by Fleet Du Bose from any source in the second primary.

J. A. WEINBERG.

Sworn to before me this 29th day of November, 1913.

[SEAL.]

J. W. WIDEMAN,
Notary Public for South Carolina.

STATE OF SOUTH CAROLINA, *County of Dorchester:*

Personally appeared before me J. H. Bryant, who, after being duly sworn, says that he is a citizen of the State and county above named; that deponent lives at Reevesville, in said county, and was a citizen there during the primary elections to nominate a successor to the late George S. Legare, deceased; that deponent never authorized Leon Larisey or anyone else to quote deponent as having made any statement as to the use of money by Dr. Dick Johnson at Reevesville, and if the said Larisey made such statements he did so altogether on his own volition and without warrant or sanction of this deponent.

J. H. BRYANT.

Sworn to before me this the 28th day of November, A. D. 1913.

E. C. EBERHARDT,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Dorchester:*

Personally appeared before me A. S. Appleby, who, after being duly sworn, says that he is a citizen of the State and county above named, and the magistrate at Reevesville, said State and county; that deponent is a relative of Leon Larisey, and that the said Leon Larisey is without authority to quote this deponent in any way as having made any statements as to the use of money by Dr. Dick Johnston at Reevesville; that if the said Larisey has made such statement they were altogether without authority on the part of the said Larisey and made by him without basing his information upon any statement made to him by this deponent.

A. S. APPLEBY.

Sworn to before me this 28th day of November, 1913.

E. C. EBERHARDT,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Dorchester:*

Personally appeared before me J. B. Johnston and M. S. Connor, who, each being duly sworn separately, say: That they are acquainted with Mr. L. B. Simonds, and that each and both of them have heard the expressions of the said L. B. Simonds, with regard to the election of Hon. R. S. Whaley to Congress from the first South Carolina district, and that the said L. B. Simonds stated openly and freely that Mr. Leon Larisey came to the home of L. B. Simonds, near St. George, Dorchester County, and told the said Simonds that he wanted an affidavit from the said Simonds to the effect that money was used by the Whaley advocates in the campaign for the purpose of purchasing votes, and that Mr. Larisey offered the said Simonds the sum of $125 to make the said affidavit, and that Simonds did not make same, even though the said Larisey pleaded with the said Simonds and offered the said sum of money, but that the said Simonds stated that he heard that the said Larisey had stated that he had an affidavit from the said Simonds in regard to the said matter, and after that time he called upon the said Larisey to show the said affidavit purported to be signed by the said Simonds and Mr. Larisey could not and did not produce the same; that M. S. Conner is the Democratic county chairman of Dorchester County, and J. B. Johnston is a practicing physician of the said town and community and is a son of the clerk of the circuit court for the said county.

J. B. JOHNSTON.
M. S. CONNOR.

Sworn to before me this November 29, 1913.
[SEAL.]

JOHN A. HIERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Dorchester:*

Personally appeared before me C. A. Pendarvis and G. C. Harbeson, who each for himself, being separately sworn, says: That they are citizens of the State and county above named, and are each of them individually acquainted with H. J. Baker, a citizen of Dorchester County, State aforesaid; that deponents, from their acquaintance, both officially and otherwise (said deponents being magistrate and constable, respectively, for Dorchester County), with the said Baker, would not believe him on his oath; that his reputation for truth and veracity is such that he will not state the truth, and can not under any circumstances be believed.

C. A. PENDARVIS.
G. C. HARBESON.

Sworn to before me this 28th day of November, A. D. 1913.
[SEAL.]

E. L. PEARCY.

STATE OF SOUTH CAROLINA, *County of Dorchester:*

Personally appeared before me E. L. Pearcy, who, after being duly sworn, says that he is a citizen of the State and county above named, and was such citizen at the time of the primary elections in the first district to nominate a successor to the late George S. Legare, deceased; that deponent was then, and is now, cashier of the People's Bank at Harleyville, State and county aforesaid; that deponent has not, before the said elections, nor since, spoken of H. H. Gross, as having handled money for the purpose of buying votes for Richard S. Whaley, a candidate in said primaries, or that the said Gross drew any sum or sums whatsoever from the said bank for the purpose of buying votes for the said Whaley, and that deponent, as cashier of said bank, or otherwise, has never handled for the said Gross, or any one else, a check or checks, signed by Richard S. Whaley, bearing any special mark or indication as to any particular fund.

E. L. PEARCY.

Sworn to before me this 28th day of November, 1913.
[SEAL.]

A. O. UTSEY,,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Dorchester:*

Personally appeared before me E. G. Hughes, who, after being duly sworn, says that he is citizen of the State and county above named, and was such citizen at the time of the primary elections in the first congressional district to nominate a successor to the late George S. Legare, deceased; that deponent never authorized Leon Larisey nor anyone else to quote deponent as having stated that deponent will testify to the use of money and whisky by the Johnstons and W. S. Utsey at St. George, for the simple fact that deponent has no knowledge that such was the case, and if such statement was credited to deponent it was altogether gratuitous on the part of the said Larisey or anyone else.

E. G. HUGHES.

Sworn to before me this the 28th day of November, A. D. 1913.

J. PEARSON SMITH.
C. H. BREAKER.

STATE OF SOUTH CAROLINA, *Dorchester County:*

Personally appeared J. Pearson Smith, who, being duly sworn, says that he was present and saw E. G. Hughes sign the above affidavit, and that he and C. H. Breaker witnessed the same.

J. PEARSON SMITH.

Sworn to before me this 29th day of November, A. D. 1913.

[SEAL.] JOHN A. HIERS,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *Dorchester County:*

Personally appeared before me R. M. Limehouse, who, being duly sworn, says that he is generally known as Bunk Limehouse, and that there is no other person in this county known as Bunk Limehouse; that he has read the statement of H. Leon Larisey that O. B. Limehouse and Bunk Limehouse swore that they would not stand for watchers being sent there and that they would run the poll to suit themselves, and that said statement, so far as deponent is concerned, is false; that deponent was not at the Dorchester poll or any other poll in Summerville at either of the congressional elections held last April at which R. S. Whaley stood for Congress; that deponent lives at Givhans and votes at the Beechhill poll, which is about 16 miles from Summerville, and was at that poll all day at both primary elections held in April, 1913.

R. M. LIMEHOUSE.
BUNK LIMEHOUSE.

Sworn to before me this 25th day of November, A. D. 1913.

[SEAL.] T. M. FINUCAN.
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Dorchester:*

Personally appeared before me, Marion J. Moorer, who, being duly sworn, says that he is 33 years old; that he is a resident and voter of Summerville, S. C., and that he is by occupation a locomotive engineer on the Southern Railway Co.; that he was present at the Dorchester and Summerville polls in the town of Summerville off and on all day during the congressional elections held in April, 1913, when Whaley ran for Congress. Deponent swears positively that he saw no money used at the elections and told H. Leon Larisey that he did not know anything about the use of any money, and the only knowledge that I have of the use of money is what Larisey told me, he saying that there had been a lot of money used and that O. B. Limehouse had had about $1,000 of Whaley's money, and he asked me to make an affidavit to that effect. Deponent told him he could not make such an affidavit; that he had not seen Limehouse with any money, and he had not seen any money passed at the polls, and that he did not know anything about any money being used. Deponent says he has read the following statement attached to the affidavit of Larisey: "M. J. Moorer, Summerville, S. C., will testify as to money and whisky used by O. B. Limehouse and others at Dorchester poll at Summerville, first and second primaries." And deponent says that statement is absolutely false and that he has above set for h all that the knows about the election.

MARION J. MOORER.

Sworn to before me this 25th day of November, A. D. 1913.

[SEAL.] T. M. FINUCAN,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Dorchester:*

Personally appeared before me T. R. Waring, who, being duly sworn, says that he is a resident and voter in Dorchester County, in the town of Summerville, and is chief of police of said town, and held that position continuously for the past eight years or more. That in the performance of the duties of his office he was at the polls in Summerville, S. C., during the first and second congressional primaries, in April, 1913, at which Congressman Whaley was a candidate for the office that he now holds. That deponent was at the polls from about a half hour after the polls opened until they closed, except for a few minutes that he went to dinner. That at no time did he see any use of money or effort to bribe voters, and that he feels certain that if there had been he would have seen same. That he knows O. B. Limehouse and his cousin, Bunk Limehouse (who is wrongly called in the statement shown deponent, attached to the statement of H. Leon Larisey, the father of O. B. Limehouse). That the said Bunk Limehouse was not around the polls. That O. B. Limehouse was there and working for Congressman Whaley, but at no time did deponent see him use any money or attempt to bribe any voters or improperly secure votes for Whaley. Deponent has read the statement of H. Leon Larisey, as follows: "O. B. Limehouse and his father, Bunk Limehouse, swore that they would not stand for watchers being sent there, and that they would run the poll to suit themselves." And deponent positively states that he heard no such statement made by said parties nor did he see any conduct on the part of the said O. B. Limehouse (Bunk Limehouse was not at the poll) to indicate that he was trying to run the poll to suit himself or to object to the presence of watchers. That the only trouble at the polls was caused by two parties who came from St. George, S. C., a distance of about 26 miles, each having a pistol concealed about his person. Carrying concealed weapons is against the law of this State. Deponent approached said parties; it was reported that they had come to the polls armed and that as deponent did not want any trouble about the polls he would have to arrest them. Deponent searched the smaller one of the two and found a .38-caliber Colts in his hip pocket. The larger one denied having a pistol, saying he only had some candy. Deponent searched him and found in his coat pocket an automatic .25 Colts pistol, which in the opinion of deponent is the most dangerous kind of weapon.

Deponent further says that R. I. Limehouse is the father of O. B. Limehouse; that deponent saw the former at the polls, but at no time heard him say that he objected to watchers or that he intended to run the polls to suit himself or have or handle any money or otherwise improperly conduct himself while at the polls.

T. R. WARING, *Chief Marshal.*

Sworn to before me this 25th day of November, A. D. 1913.

[SEAL.] T. M. FINUCAN,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Dorchester.*

Personally appeared before me M. J. Eagan, who, being duly sworn, says that he is a resident and voter of Summerville, Dorchester County, and is engaged in the business of traveling salesman; that he has seen and read the statement in the Exhibit A, attached to the affidavit of H. Leon Larisey, dated the 30th day of September, 1913, and filed with Election Committee No. 1 of the House of Representatives, the said statements being as follows:

"M. J. Eagan, Summerville, S. C., Dorchester County, states that 'Judge' Hutchinson openly handled Whaley funds, buying votes at the Driggers poll in Summerville.

"Judge Hutchinson handled some of the Whaley money at Summerville, S. C., stated by M. J. Eagan."

That deponent made no such statement to Mr. H. Leon Larisey, and that as far as his personal knowledge is concerned he does not know that Judge Hutchinson handled funds for either candidate.

M. J. EAGAN.

Sworn to before me this 24th day of November, 1913.

[SEAL.] T. M. FINUCAN,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Dorchester.*

Personally appeared before me E. H. Hutchinson, known to his friends as "Judge" Hutchinson, who, being duly sworn, says that he is superintendent of the Chisolms Island phosphate plant of the Charleston Mining and Manufacturing Co., and that he is a resident and voter of Summerville, Dorchester County, S. C. That he has read the affidavit made by H. Leon Larisey, dated the 30th day of September, 1913, and the Exhibit A, which was presented to Election Committee No. 1 of the United States House of Representatives. That in said affidavit there are the following statements:

"M. J. Eagan, Summerville, S. C., Dorchester County, states that 'Judge' Hutchinson openly handled Whaley funds, buying votes at the Driggers poll in Summerville.

"Judge Hutchinson handled some of the Whaley money at Summerville, S. C., stated by M. J. Eagan."

That the above statements are absolutely false. That this deponent handled no funds for Whaley, and that Mr. R. S. Whaley, who was elected to Congress, gave this deponent at no time during said campaign, nor at any time in his life, one penny; and that the statement by anyone to this effect is an absolute lie.

E. H. HUTCHINSON.

Sworn to before me this 22d day of November, 1913.

[SEAL.] D. B. HENDERSON,
Notary Public.

STATE OF SOUTH CAROLINA, *County of Dorchester.*

Personally appeared before me Henry Groverman, who, being duly sworn, says that he is 25 years of age and a merchant and voter of the town of Summerville, Dorchester County; that he conducts a general merchant business, and that he was born and lived in Summerville all his life with the exception of five years, when he lived in Charleston; that his place of business is immediately opposite and in front of the place where the polls were held in the congressional primary elections in April, 1913, at which R. S. Whaley was a candidate for Congress; that the polls were in full view of his place of business and just across the street, and that he could see and hear what was going on at the polls; that he saw O. B. Limehouse at the polls, and knew that he was supporting Whaley; that at no time did he see O. B. Limehouse using money or whisky and intimidating voters, and from what he knows he does not believe that O. B. Limehouse or anybody else was engaged in any such conduct. The deponent has also seen a copy of the exhibit or statement said to be attached to affidavit of H. Leon Larisey in which the following appears:

"Henry Groverman, Summerville, S. C., statement as to O. B. Limehouse using money and whisky at Dorchester poll and intimidating voters."

And deponent says that he has never made any such statement to any one, and so far as he knows and believes and as above set forth O. B. Limehouse did not use money and whisky at the Dorchester poll and intimidate voters, and any statement to such effect is untrue, and any statement that the deponent said so is absolutely untrue, nor of anybody else using money.

H. J. GROVERMAN.

Sworn to before me this 25th day of November, 1913.

[SEAL.] T. M. FINUCAN,
Notary Public, South Carolina.

STATE OF SOUTH CAROLINA, *County of Dorchester.*

Personally appeared before me C. D. Winningham, who says that he lives near Jedburg, S. C., and is a voter of the Knightsville poll; that he has read the statement attached to the affidavit of H. Leon Larisey, as follows:

"Charles J. Winningham, Jedburg, S. C., will make final witness as to money and whisky used at the Knightsville poll at first and second primary."

That deponent says he presumes that Larisey meant to allude to him, as he is the only voter in Dorchester County that is Charles D. Winningham, to his knowledge, and deponent says that he has not seen Larisey since before the first primary, and he was not at the polls at the second congressional election held in April, 1913.

C. D. WINNINGHAM.

Sworn to before me this 29th day of November, 1913.

[SEAL.] T. M. FINUCAN,
Notary Public, South Carolina.

○

LIBRARY OF CONGRESS
0 013 012 934 1